

**PB# 03-08**

**Stella Way  
(Sub.)**

**57-1-52 & 60**

TOWN OF NEW WINDSOR  
PLANNING BOARD

APPROVED COPY

DATE: 3-29-2006

# ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE

TYPE IN BLACK INK:

NAME(S) OF PARTY(S) TO DOCUMENT

CHERRY VALLEY BUILDERS INC  
110 CHERRY VALLEY AVE  
WEST HEMPSTEAD NY 11552  
TO

SECTION 57 BLOCK 1 LOT 52-60

RECORD AND RETURN TO:

(name and address)

TOWN OF NEW WINDSOR  
555 UNION AVE  
NEW WINDSOR NY 12553



THIS IS PAGE ONE OF THE RECORDING

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH  
RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED        MORTGAGE        SATISFACTION        ASSIGNMENT        OTHER OF PRIVATE ROAD

## PROPERTY LOCATION

\_\_\_ 2089 BLOOMING GROVE (TN)  
\_\_\_ 2001 WASHINGTONVILLE (VLG)  
\_\_\_ 2289 CHESTER (TN)  
\_\_\_ 2201 CHESTER (VLG)  
\_\_\_ 2489 CORNWALL (TN)  
\_\_\_ 2401 CORNWALL (VLG)  
\_\_\_ 2600 CRAWFORD (TN)  
\_\_\_ 2800 DEERPARK (TN)  
\_\_\_ 3089 GOSHEN (TN)  
\_\_\_ 3001 GOSHEN (VLG)  
\_\_\_ 3003 FLORIDA (VLG)  
\_\_\_ 3005 CHESTER (VLG)  
\_\_\_ 3200 GREENVILLE (TN)  
\_\_\_ 3489 HAMPTONBURGH (TN)  
\_\_\_ 3401 MAYBROOK (VLG)  
\_\_\_ 3689 HIGHLANDS (TN)  
\_\_\_ 3601 HIGHLAND FALLS (VLG)  
\_\_\_ 3889 MINISINK (TN)  
\_\_\_ 3801 UNIONVILLE (VLG)  
\_\_\_ 4089 MONROE (TN)  
\_\_\_ 4001 MONROE (VLG)  
\_\_\_ 4003 HARRIMAN (VLG)  
\_\_\_ 4005 KIRYAS JOEL (VLG)

\_\_\_ 4289 MONTGOMERY (TN)  
\_\_\_ 4201 MAYBROOK (VLG)  
\_\_\_ 4203 MONTGOMERY (VLG)  
\_\_\_ 4205 WALDEN (VLG)  
\_\_\_ 4489 MOUNT HOPE (TN)  
\_\_\_ 4401 OTISVILLE (VLG)  
\_\_\_ 4600 NEWBURGH (TN)  
\_\_\_ 4800 NEW WINDSOR (TN)  
\_\_\_ 5089 TUXEDO (TN)  
\_\_\_ 5001 TUXEDO PARK (VLG)  
\_\_\_ 5200 WALLKILL (TN)  
\_\_\_ 5489 WARWICK (TN)  
\_\_\_ 5401 FLORIDA (VLG)  
\_\_\_ 5403 GREENWOOD LAKE (VLG)  
\_\_\_ 5405 WARWICK (VLG)  
\_\_\_ 5600 WAWAYANDA (TN)  
\_\_\_ 5889 WOODBURY (TN)  
\_\_\_ 5801 HARRIMAN (VLG)

## CITIES

\_\_\_ 0900 MIDDLETOWN  
\_\_\_ 1100 NEWBURGH  
\_\_\_ 1300 PORT JERVIS  
\_\_\_ 9999 HOLD

NO PAGES 7 CROSS REF.         
CERT. COPY        ADD'L X-REF.         
MAP#        PGS.       

PAYMENT TYPE: CHECK X  
CASH         
CHARGE         
NO FEE       

Taxable  
CONSIDERATION \$         
TAX EXEMPT         
Taxable  
MORTGAGE AMT. \$         
DATE       

## MORTGAGE TAX TYPE:

\_\_\_ (A) COMMERCIAL/FULL 1%  
\_\_\_ (B) 1 OR 2 FAMILY  
\_\_\_ (C) UNDER \$10,000  
\_\_\_ (E) EXEMPT  
\_\_\_ (F) 3 TO 6 UNITS  
\_\_\_ (I) NAT.PERSON/CR. UNION  
\_\_\_ (J) NAT.PER-CR.UN/1 OR 2  
\_\_\_ (K) CONDO

DONNA L. BENSON  
ORANGE COUNTY CLERK

RECEIVED FROM:

RECORDED/FILED  
01/14/2005/ 14:30:08  
DONNA L. BENSON  
County Clerk  
ORANGE COUNTY, NY

FILE # 20050005047  
DECL / BK 11722 PG 0075  
RECORDING FEES 46.00  
Receipt#366270 pete



DECLARATION OF PRIVATE ROAD

Declaration made this <sup>JANUARY</sup> ~~MAY~~ 5 day of ~~May~~, June, 2005 by CHERRY VALLEY BUILDERS, INC., a New York corporation with principal place of business at 110 Cherry Valley Avenue, West Hempstead, New York 11552, hereinafter called "DEVELOPER".

W I T N E S S E T H:

WHEREAS the Developer is the owner of property described in a Subdivision Map entitled "Subdivision Plat Stella Way", a three lot subdivision of single family residential houses; and

WHEREAS the Developer wishes to provide a private road for ingress and egress for such houses to the nearest public highway, and such private road is more fully described on Schedule A annexed hereto and made a part hereof; and

WHEREAS the Developer has deemed it desirable for the orderly maintenance and preservation of such road that each of the three residential houses in this subdivision share responsibility for the maintenance and upkeep of such road;

NOW THEREFORE the Developer, for itself, its successors and assigns declares that the real property described in Schedule A and more commonly referred to as Stella Way, shall be designated as a private road for the use and benefit of the homeowners of this subdivision subject to the following:

1. The owners of each of the three subdivision lots and their heirs, successors, distributees and assigns shall have joint, equal and mutual rights to use said private road for all ordinary purposes of ingress and egress of pleasure and other vehicles over the same for their mutual convenience and benefit forever, or until the road which is the subject of this Agreement becomes a public highway by act of the appropriate municipal authorities, or by act of law; and such easement and ownership

shall be appurtenant to and shall pass with the title to every home.

2. Each owner of a subdivision lot will be a the owner of a portion of the land comprising such private road, and that such interest in the private road is not severable from the ownership in each lot and that any conveyance of a lot must also convey the ownership interest in and easement over the private road.

3. Each lot owner in this three lot subdivision shall be responsible for one third of the cost of snow clearance, road maintenance, repair, and any other expense incurred for such road, as hereinafter defined.

4. No owner shall ever obstruct such road in any manner but shall cooperate in keeping said road open for the use of all parties interested therein.

5. For the purposes of the orderly maintenance of said road, the owners of the three parcels shall on September 1st of each year elect a chairman from among the owners who will serve until his/her successor is duly elected. The chairman's duties will include collecting a proportionate share of the expenses of maintaining the road from each owner and paying for those items of road maintenance that are deemed necessary by a majority of the owners of the three lots. The owners of each lot shall be entitled to a single vote for the office of chairman and for any items related to the maintenance of the road.

6. The words "maintenance" and "repair" as used in this Declaration shall be defined as all costs and expenses in connection with said private roadway including the cost of snow removal, the application of sand when snow or ice conditions prevail, the sweeping, cleaning of litter, trimming shrubs and trees within the right of way, surfacing and re-surfacing, gravelling, re-gravelling, filling in of holes, and all those items necessary so as to make it convenient and safe for the owners of the aforesaid lots to use said private roadway and

maintain roadway in passable condition.

7. All lot owners agree that the roadway shall always be maintained so as to be passable by ordinary passenger vehicles and this shall include prompt repair of "potholes" or other defects in the roadway which cause said roadway to fail to meet that standard or cause said roadway to become otherwise substandard.

8. Unless otherwise agreed to by the lot owners, it is hereby declared as a minimum standard that in the event the accumulation of snow exceeds three inches as the average depth, the chairman is authorized to engage a contractor to remove the snow from the private roadway and/or apply sand and salt to the roadway without notice to the other lot owners.

9. In the event any lot owner fails to forward its share of expenses within seven days of the notification of the charges and excess charges, if any, the chairman shall have the right to forward the entire invoice amount to the contractor. In this event the chairman, having duly paid both his one third share and the share of the defaulting owner of any lot shall be deemed a "contractor" pursuant to Section 2 of the New York State Lien Law. The owner of any such lot having failed to pay his one third share shall subject his real property to the lien of the chairman. The chairman may also commence an action against the defaulting lot owner in a court of appropriate jurisdiction to recover the unpaid monies. In any action commenced against the defaulting owner of any lot, there shall be a presumption that the maintenance or repair work for which monies are owing was validly authorized and competently performed by the contractor. The defaulting owner of any lot is liable for all costs and expenses including, but not limited to reasonable attorney's fees which are incurred by the chairman in recovering said defaulting lot owner's unpaid share. In addition, if the chairman is required to appear in court in connection with the recovery of the unpaid monies owed by the defaulting owner of any lot, he shall

be compensated by the defaulting lot owner in the amount of Fifty (\$50.00) Dollars for each court appearance. If the defaulting party is the chairman, then the owners of the other lots shall have all of the same rights and remedies as set forth herein against him.

10. Upon receipt to a deed for a subdivision lot, or any portion thereof, each lot owner using this roadway for access to his property shall immediately become liable for its one third share of the roadway maintenance and plowing obligations pursuant to this Declaration.

11. This agreement is binding upon the heirs, distributes, successors or assigns of any of the owners of the lots on Stella Way.

IN WITNESS WHEREOF, the grantor has hereunto set his hands on the date first above written.

CHERRY VALLEY BUILDERS, INC.

BY:   
VINCENT DEJANA, PRESIDENT



[illegible]

Joe

**PHYLLIS E. SIMON**  
**Notary Public, State of New York**  
**No. 4528339**  
**Qualified in Rockland County**  
**Commission Expires December 31, 2006**

SCHEDULE A

DESCRIPTION OF STELLA'S WAY, A PRIVATE ROAD

TOWN OF NEW WINDSOR

BEGINNING in the northerly right-of-way line of Schiavone Road, said point being referenced S.  $76^{\circ}47'30''$  E. 70.98 feet from the southeasterly corner of lands now or formerly of Thomas P. and Patricia M. Calebotta as described in Liber 2707, Page 93, all as shown on a certain map entitled, "Cherry Valley Builders, Inc., Stella's Way," to be filed. the Orange County Clerk's Office, running; thence,

1. N.  $35^{\circ}14'52''$  E. 198.15 feet forming the northwesterly right-of-way line of the herein described private road to a point of curvature; thence,
  2. Northeasterly on a curve to the right, having a radius of 202.56 feet, an arc distance of 113.78 feet forming the same to a point of reverse curvature; thence,
  3. Northeasterly on a curve to the left, having a radius of 25.00 feet, an arc distance of 20.26 feet forming the same to a point of reverse curvature; thence,
  4. Easterly, Southerly, and Westerly on a curve to the right, forming the cul-de-sac at a terminus of the herein described private road, having a radius of 60.00 feet, an arc distance of 300.35 feet to a point of reverse curvature; thence,
  5. Southwesterly on a curve to the left, having a radius of 25.00 feet, an arc distance of 28.75 feet forming the southeasterly right-of-way line of the herein described private road to a point of compound curvature; thence,
  6. Southwesterly on a curve to the left, having a radius of 152.56 feet, an arc distance of 70.98 feet forming the same to a point of tangency; thence,
  7. S.  $35^{\circ}14'52''$  W. 67.56 feet forming the same; thence,
  8. S.  $76^{\circ}59'30''$  E. 28.64 feet to the northwesterly corner of lands now or formerly of James and Victoria Gralski, as described in Liber 11166, Page 1410; thence,
  9. S.  $13^{\circ}12'30''$  W. 102.38 feet along the westerly line of said lands Gralski to the northerly right-of-way line of Schiavone Road; thence,
- 
10. N.  $76^{\circ}47'30''$  W. 123.99 feet along said line of Schiavone Road to the point of BEGINNING.

Containing: 31,017 Square Feet  
or  
0.7121 Acres

# New York State Department of Environmental Conservation

## Division of Environmental Quality, Region 3

200 White Plains Road – 5th Floor, Tarrytown, New York 10591-5805

Phone: (914) 332-1835 • FAX: (914) 332-4670

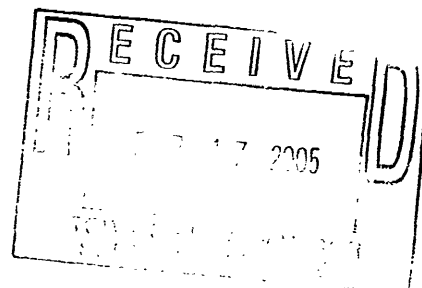
Website: [www.dec.state.ny.us](http://www.dec.state.ny.us)

P.B.#  
03-08



February 16, 2005

Mr. James C. Clearwater, PLS  
Project Manager  
MJS Engineering , PC  
261 Greenwich Ave  
Goshen, NY 10924



Re: Approval of Plans and Specifications for  
Sanitary Sewer Main Extension to Serve  
Stella's Way, off Schiavone Road  
Town of New Windsor, Orange County, NY

Dear Mr. Clearwater:

This is to advise you that the plans and specifications for the above referenced project are being approved by this Department. This project consists of 3 single family residential lots approximately 489 linear feet of 8 inch PVC gravity sewer connecting to the existing municipal sewers through 4 sanitary manholes as shown in the plans dated 7/20/04 , prepared by MJS Engineering Group consisting of 4 sheets, last revised November 10, 2004.

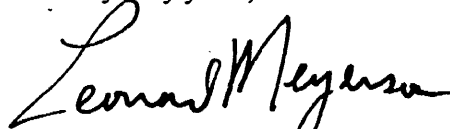
By initiating the construction of the said project covered by the approval of plans and specifications, the applicant accepts and agrees to abide by and conform with the following:

- 1) This approval is issued pursuant to SPDES Permit No. NY-0022446 (Town of New Windsor STP)
- 2) That this approval letter shall be maintained on file by the applicant.
- 3) That the approval is revocable or subject to modification or change pursuant to Article 17 of the Environmental Conservation Law.
- 4) That any and all construction undertaken by the terms of the approval of plans shall be completely and wholly at the risk of the applicant.
- 5) That the facilities shall be fully constructed and completed in compliance with Plans as approved on February 16, 2005
- 6) That this office is to be notified when construction commences.

- 7) That the engineer will forward the results of the leakage tests of the completed work to this Department.
- 8) That the professional engineer supervising such construction shall certify to this Department in writing and to the applicant that the constructed facilities have been under his supervision and that the works have been fully completed in accordance with the engineering report and the plans.
- 9) That the leakage outward or the infiltration inward of the constructed sewer line shall not exceed 100 gallons per inch of the pipe diameter per mile per day for any section of the sewer system between manholes and including manholes.
- 10) The approved project must be completed within five (5) years of the approval date at which time the approval will expire.

Enclosed please find one copy of the approved plans and the engineering report. Also, one copy of the approved plans is being sent to the Orange County Health Department.

Very truly yours,

A handwritten signature in black ink, appearing to read "Leonard Meyerson". The signature is fluid and cursive, with the first name "Leonard" written in a larger, more prominent script than the last name "Meyerson".

Leonard Meyerson, P.E.  
Regional Water Engineer  
Region 3

LM:MG:dc

Enclosure

cc: Orange County Department of Health  
Town Supervisor, Town of New Windsor

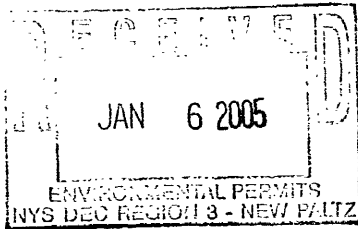
**RECEIVED**

FEB 1 2005

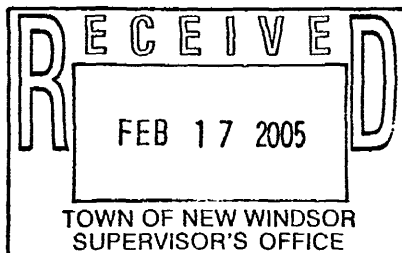
NYS DEC - REGION 3  
TARRYTOWN OFFICE

# **Sewer Main Extension Engineer's Report**

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Cherry Valley Builders, Inc.  
Stella's Way  
Section 57, Block 1, Lots 52 and 60  
Town of New Windsor  
Orange County, NY



Prepared for:

Cherry Valley Builders, Inc.  
110 Cherry Valley Avenue  
West Hempstead, NY 11552

040102

October 2004

## **MJS ENGINEERING**

MJS Engineering, PC  
261 Greenwich Avenue  
Goshen, NY 10924  
845-291-8650

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#### APPENDICES:

Appendix A — Town of New Windsor Planning Board Letter of October 4, 2004

Appendix B — Agreement — Moodna Creek Development, Ltd. &  
Cherry Valley Builders, Inc.; February 12, 2004

Appendix C — Sanitary Sewer Calculations

## **I. INTRODUCTION**

Cherry Valley Builders, Inc. is proposing a three (3) lot single-family residential subdivision of two (2) tax parcels totaling 5.3 acres in the Town of New Windsor, Orange County, NY. The project is located on the north side of Schiavone Road. The subject parcel consists of two tax parcels, Section 57, Block 1, Lot 52 and Lot 60. The three proposed lots will be accessed by a new private road and cul-de-sac 424 feet long. Stella's Way, the private road, will have direct access to Schiavone Road which is a Town of New Windsor public street.

Sanitary facilities will be a re-allocation of the Moodna Creek Development, Ltd. allotment and will be discharged to the Town of New Windsor sewage treatment plant, Majestic Sewer District. There will be a total of 1,050 GPD discharged from the three proposed lots.

## **II. SANITARY SEWER SYSTEM**

The sewer extension will consist of four (4) manholes and 8 inch PVC SDR-35 sewer pipe, which will connect directly into the terminal manhole located in Schiavone Road. Sanitary sewer flow from this development is estimated at 350 GPD per dwelling for a total of 1,050 GPD. This is equivalent to 44 GPH, with a peak hourly discharge estimated at four (4) times the average flow or 3 GPM.

The sanitary sewer laterals for each of the residential dwellings will consist of 4 inch PVC SDR-35 sewer pipe with cleanouts where applicable at 50 foot intervals. The slope of the laterals will be a minimum of 2%.

The subdivision street will be constructed as a private road with a full 50 foot wide easement to the sewer district for any routine maintenance that might be needed from time to time.

## **III. WATER SUPPLY**

Each lot will be served by an individually drilled well. The wells will be drilled in compliance with the NYS Dept. of Health's criteria to a depth yielding a minimum of 5 GPM.

## **IV. STORM DRAINAGE**

Stormwater runoff for the project will be collected in four (4) catch basins with connecting runs of 18 inch corrugated polyethylene (HDPE) pipe. The drainage will discharge into a rip-rap swale before running into a small area of federal wetlands on site. The wetlands, in turn, eventually drain to Beaver Dam Lake which is approximately 1,500 feet west of the site.

**V.     ADDITIONAL INFORMATION**

The project received preliminary approval from the Town of New Windsor Planning Board on September 22, 2004. The project also received a Negative Declaration for SEQR on that date as well. Attached is a letter from the Town of New Windsor to that effect.



**MJS ENGINEERING**

261 Greenwich Avenue  
Goshen, NY 10924

**APPENDICES**

**MJS ENGINEERING**

261 Greenwich Avenue  
Goshen, NY 10924

**Town of New Windsor Planning Board  
Letter of October 4, 2004**

**Appendix A**



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4693

## OFFICE OF THE PLANNING BOARD

October 4, 2004

Cherry Valley Builders  
87 Scotland Road  
Chestnut Ridge, NY 10977

ATTN: KEN GASS

SUBJECT: PRELIMINARY APPROVAL FOR FILE # 03-08  
TAX MAP # 57-1-52 & 60  
PROJECT NAME: STELLA'S WAY SUBDIVISION  
LOCATION: SCHIAVONE ROAD - NEW WINDSOR

Dear Mr. Gass:

This letter is to confirm that at the regularly scheduled Planning Board meeting of September 22, 2004, Preliminary Approval was granted to subject project and a Negative Declaration was declared.

If you have any questions with regard to this matter, please contact our office.

Myra Mason, Secretary to the  
New Windsor Planning Board

MLM

**MJS ENGINEERING**

261 Greenwich Avenue  
Goshen, NY 10924

**Agreement — Moodna Creek Development, Ltd.  
& Cherry Valley Builders, Inc. February 12, 2004**

**Appendix B**

## CERTIFICATE OF ALLOCATION

MOODNA CREEK DEVELOPMENT, LTD., a New York Corporation 2 Mill Street, Cornwall, New York 12518, (hereafter called MOODNA) hereby allocates, assigns and transfers to CHERRY VALLEY BUILDERS, INC., a limited partnership with principal place of business located at 110 Cherry Valley Avenue, West Hempstead, New York 11552, (hereafter called DEVELOPER), who hereby receives and accepts, the unconditional, continuous and irrevocable right to ONE THOUSAND FIFTY (1,050) gallons of daily sanitary sewage treatment discharge capacity at the Town of New Windsor sewage treatment plant, allotted from the Majestic Sewer District total daily sewage treatment capacity (hereafter called TOTAL CAPACITY), for the exclusive use and benefit of three (3) single family residence units in the Town of New Windsor, Orange County, New York designated as tax map parcel Section 57, Block 1, Lots 52 and 60.

MOODNA acknowledges and agrees to forebear from using daily sewage treatment discharge capacity that is part of the total capacity that is in excess of the total capacity as reduced by the ONE THOUSAND FIFTY (1,050) gallons of daily sewage treatment capacity allocated to DEVELOPER by this certificate.

Dated: February 12<sup>th</sup>, 2004

MOODNA CREEK DEVELOPMENT, LTD.

By:

Isaac Landau  
ISAAC LANDAU, PRESIDENT

STATE OF NEW YORK:

:SS.:

COUNTY OF ORANGE :

On the 12<sup>th</sup> day of February, 2004 before me, the undersigned, a Notary Public in and for said State, personally appeared Isaac Landau, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

BRIDGET M. MANISCALCO  
Notary Public, State of New York  
No. 4618913  
Qualified in Orange County  
Commission Expires December 31, 2005

Bridget M. Maniscalco  
NOTARY PUBLIC - STATE OF NEW YORK

Consent to this certificate has been granted at a meeting held \_\_\_\_\_ day of \_\_\_\_\_ 2004, by the Town Board, Town of New Windsor.

Dated: \_\_\_\_\_ 2004

TOWN OF NEW WINDSOR

By:

George Meyers  
GEORGE MEYERS, SUPERVISOR

**MJS ENGINEERING**

261 Greenwich Avenue  
Goshen, NY 10924

**Sanitary Sewer Calculations**

**Appendix C**

MJS ENGINEERING, PC

SANITARY SEWER CALCULATIONS

4 BR = 475 GPD - 20%

= 380 GPD / 4 BR

= 95 GPD/BR

JOB NAME: Stella's Way

PIPE SIZE= 8", n=0.013

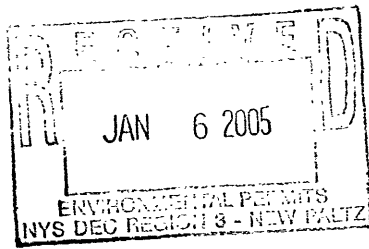
JOB #: 40102.01

FLOW PER. B.R.(G.P.D.)=

95

Oct-04

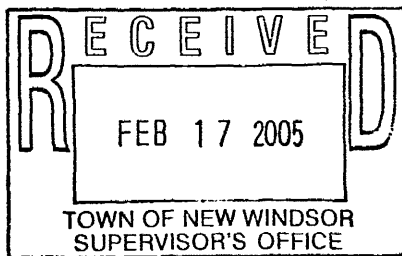
DESCRIPTION			UPPER	LOWER	LENGTH	SLOPE	# B.R.	CUMM.	Q-FULL	V-FULL	Q-DESIGN	V-DESIC
MH_ TO MH_			INVERT	INVERT	(FT.)	(%)	(on line)	B.R.	(MGD)	(FPS)	(MGD)	/(FPS)
MH- 1 MH- 2			207.7	195.1	164	7.68	12	12	2.17	9.61	0.0011	0.86
MH- 2 MH- 3			195	186.1	160	5.56	0	12	1.84	8.18	0.0011	1.14
MH- 3 MH- 4			186	185.3	72	0.97	0	12	0.77	3.42	0.0011	0.47
MH- 4 MH- EX.			185.29	178.7	93	7.09	0	12	2.08	9.23	0.0011	0.80



# Sanitary Sewer Extension Specifications

**RECEIVED**  
FEB 1 2005  
NYS DEC - REGION 3  
TARRYTOWN OFFICE

Cherry Valley Builders, Inc.  
Stella's Way  
Section 57, Block 1, Lots 52 and 60  
Town of New Windsor  
Orange County, NY



Prepared for:

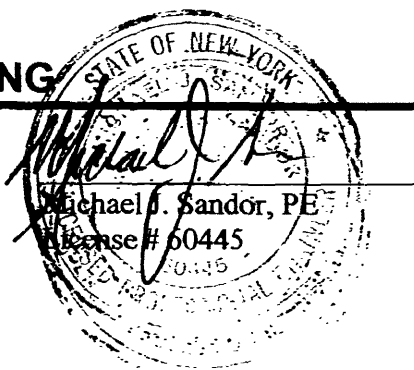
Cherry Valley Builders, Inc.  
110 Cherry Valley Avenue  
West Hempstead, NY 11552

040102

October 2004

## **MJS ENGINEERING**

MJS Engineering, PC  
261 Greenwich Avenue  
Goshen, NY 10924  
845-291-8650





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## SECTION 02110

### SITE CLEARING

#### PART 1 - GENERAL

##### 1.1 RELATED DOCUMENTS

- A. Drawings and general provisions of the contract.

##### 1.2 SUMMARY

- A. This Section includes the following:

1. Protection of existing trees indicated to remain.
2. Removal of trees and other vegetation.
3. Topsoil stripping.
4. Clearing and grubbing.
5. Removing above-grade improvements.
6. Removing below-grade improvements.

##### 1.3 PROJECT CONDITIONS

- A. Traffic: Conduct site-clearing operations to ensure minimum interference with site access driveways, walks, parking facilities and other adjacent occupied or used facilities. Do not close or obstruct streets, walks or other occupied or used facilities without permission from authorities having jurisdiction.
- B. Protection of Existing Improvements: Provide protections necessary to prevent damage to existing improvements indicated to remain in place.
  1. Protect improvements on adjoining properties and on Owner's property.
  2. Restore damaged improvements to their original condition, as acceptable to property owner.
- C. Protection of Existing Trees and Vegetation: Protect existing trees and other vegetation indicated to remain in place against unnecessary cutting, breaking or skinning of roots, skinning or bruising of bark, smothering of trees by stockpiling construction materials or excavated materials within drip line, excess foot or vehicular traffic, or parking of vehicles within drip line. Provide temporary guards to protect trees and vegetation to be left standing.

D. Improvements on Adjoining Property: Authority for performing removal and alteration work on property adjoining Owner's property will be obtained by Owner prior to award of contract.

1. Extent of work on adjacent property is indicated on Drawings.

E. Remove and Reinstall: Remove items indicated; clean, service and otherwise prepare for reuse; store and protect against drainage. Reinstall items in locations indicated.

#### 1.4 EXISTING SERVICES

A. General: Indicated locations are approximate; determine exact locations before commencing work.

B. Arrange and pay for disconnecting, removing, capping, and plugging utility services. Notify affected utility companies in advance and obtain approval before starting this work.

C. Place markers to indicate location of disconnected services. Identify service lines and capping locations on Project Record Documents

#### 1.5 SUBMITTALS

A. General: Submit each item in this Article according to the Conditions of the Contract.

B. Proposed dust-control measures,

C. Proposed noise-control measures.

D. Landfill records indicating receipt and acceptance of waste materials by a licensed landfill facility.

### PART 2 - PRODUCTS (Not Applicable)

### PART 3 - EXECUTION

#### 3.1 SITE CLEARING

A. General: Remove trees, shrubs, grass, and other vegetation, improvements, or obstructions, as required, to permit installation

1. Cut minor roots and branches of trees indicated to remain in a clean and careful manner where such roots and branches obstruct installation of new construction.
- B. Topsoil: Topsoil is defined as friable clay loam surface soil found in a depth of not less than 4 inches. Satisfactory topsoil is reasonably free of subsoil, clay lumps, stones, and other objects over 2 inches in diameter, and without weeds, roots, and other objectionable material.
1. Strip topsoil to whatever depths encountered in a manner to prevent intermingling with underlying subsoil or other objectionable material. Remove heavy growths of grass from areas before stripping.
    - a) Where existing trees are indicated to remain, leave existing topsoil in place within drip lines to prevent damage to root system.
  2. Stockpile topsoil in storage piles in areas indicated or directed. Construct storage piles to provide free drainage of surface water. Cover storage piles, if required, to prevent wind erosion.
  3. Dispose of unsuitable or excess topsoil as specified for disposal of waste material.
- C. Clearing and Grubbing: clear site of trees, shrubs, and other vegetation, except for those indicated to be left standing.
1. Completely remove stumps, roots, and other debris protruding through ground surface.
  2. Use only hand methods for grubbing inside drip line of trees indicated to remain.
  3. Fill depressions caused by clearing and grubbing operations with satisfactory soil material, unless further excavation or earthwork is indicated.
    - a) Place fill material in horizontal layers not exceeding 6 inches loose depth, and thoroughly compact each layer to a density equal to adjacent original ground.
- D. Removal of Improvements: Remove existing above-grade and below-grade improvements as indicated and as necessary to facilitate new construction.
1. Utilities and Related Equipment

Remove existing utilities, as indicated and terminate in a manner conforming to the nationally recognized code covering the specific utility. If utility lines are encountered that are not shown on drawings, contact the Contracting Officer for further instructions.

## 2. Paving and Slabs

- a) Concrete pavements: Where it is necessary to make a cut in concrete paved areas, the contractor shall first score the concrete in neat, straight lines to a depth of not less than 2 inches with an approved concrete cutting saw prior to removing concrete.
- b) Bituminous pavements: Where is necessary to make a cut in bituminous paved areas, the Contractor shall cut paving along neat, straight lines to a depth of not less than 3 inches using an approved bituminous cutting saw prior to removing bituminous pavement.
- c) Restoration of paved areas: Restore all paved areas to their original condition using material of like type and quality as the removed paving approved by the Owner. Repaired surfaces shall match existing adjacent paving.

## 3. Concrete

Saw concrete along straight lines to a depth of not less than 2 inches. Make each cut in walls perpendicular to the face and in alignment with the cut in the opposite face. Break out the remainder of the concrete provided that the broken area is concealed in the finished work, and the remaining concrete is sound. At locations where the broken face cannot be concealed, grind smooth or saw-cut entirely through the concrete.

## 4. Patching

Where removals leave holes and damaged surfaces exposed in the finished work, patch and repair these holes and damaged surfaces to match adjacent finished surfaces. Where new work is to be applied to existing surfaces, perform removals and patching in a manner to produce surfaces suitable for receiving new work. Finished surfaces of patched area shall be flush with the adjacent existing surface and shall match the existing adjacent surface as closely as possible as to texture and finish. Patching shall be as specified and indicated.

## 5. Filling

Fill holes and other hazardous openings in accordance with Section 02200, "EARTHWORK."

### 3.2 DISPOSAL OF WASTE MATERIALS

- A. Burning of Owner's Property: Burning is not permitted on Owner's property.
- B. Removal from Owner's Property: Remove waste materials and unsuitable or excess topsoil from Owner's property. Dispose of waste materials at licensed landfill facility.

END OF SECTION 02110

## SECTION 02200

### EARTHWORK

#### PART 1 - GENERAL

##### 1.1 RELATED DOCUMENTS

- A. Drawings and general provisions of the contract.

##### 1.2 SUMMARY

- A. This Section includes the following:
  - 1. Excavating and backfilling for underground mechanical and electrical utilities and appurtenances.
- B. Related Sections: The following Sections contain requirements that relate to this Section.
  - 1. Division 2 Section "Site Clearing" for site stripping, grubbing, topsoil removal, and tree protection.

##### 1.3 DEFINITIONS

- A. Excavation consists of the removal of material encountered to subgrade elevations and the reuse or disposal of materials removed.
- B. Subgrade: The uppermost surface of an excavation or the top surface of a fill or backfill immediately below subbase, drainage fill, or topsoil materials.
- C. Borrow: soil material obtained off-site when sufficient approved soil material is not available from excavations.
- D. Unauthorized excavation consists of removing materials beyond indicated subgrade elevations or dimensions without direction by the Contracting Officer. Unauthorized excavation, as well as remedial work directed by the contracting Officer, shall be at the Contractor's expense.
- E. Utilities include on-site underground pipes, conduits, ducts, and cables, as well as underground services within building lines.

## 1.4 SUBMITTALS

- A. General: Submit the following according to the Conditions of the Contract.
- B. Product data for the following:
  - 1. Each type of plastic warning tape.
  - 2. Filter fabric.
- C. Test Reports: In addition to test reports required under field quality control, submit the following:
  - 1. Laboratory analysis of each soil material proposed for fill and backfill from on-site and borrow sources.
  - 2. One optimum moisture-maximum density curve for each soil material.
  - 3. Report of actual unconfined compressive strength and/or results of bearing tests of each stratum tested.

## 1.5 QUALITY ASSURANCE

- A. Codes and Standards: Perform earthwork complying with requirements of authorities having jurisdiction.

## 1.6 PROJECT CONDITIONS:

- A. Existing Utilities: Do not interrupt existing utilities serving facilities occupied by the Owner or others except when permitted in writing by the contracting Officer and then only after acceptable temporary utility services have been provided.

## 1.7 BLASTING

- A. Blasting will not be permitted. Remove materials in an approved manner.

## PART 2 - PRODUCTS

### 2.1 SOIL MATERIALS

- A. General: Provide approved borrow soil materials from off-site when sufficient approved soil materials are not available from excavations at no additional costs to the Owner.
- B. Satisfactory Soil Materials: ASTM D 2487 soil classification groups CL, ML, SC, SM, SP, SW, GC, GM, GP, or GW; free of rock or gravel larger than 2



inches in any dimension, debris, waste, frozen materials, vegetation and other deleterious matter.

- C. Unsatisfactory Soil Materials: ASTM D 2487 soil classification groups MH, CH, OL, OH, and PT.
- D. Backfill and Fill Materials: Satisfactory soil materials.
- E. Bedding Material: conforming to ASTM, Size No. 8.
- F. Low Permeability Fill: ASTM D 2487, soil classification groups CH, CL, MH or ML, free of rock or gravel larger than 1 inch in any dimension, debris, waste frozen materials, vegetation and other deleterious materials.
- G. Riprap Rock Lining: conforming to SHS, Section 850.2, Class Number as indicated.

### PART 3 - EXECUTION

#### 3.1 PREPARATION

- A. Protect structures, utilities, sidewalks, pavements, and other facilities from damage caused by settlement, lateral movement, undermining, washout, and other hazards created by earthwork operations.
- B. Protect subgrades and foundation soils against freezing temperatures or frost. Provide protective insulating materials as necessary.
- C. Provide erosion control measures to prevent erosion or displacement of soils and discharge of soil-bearing water runoff or airborne dust to adjacent properties and walkways.
- D. Tree protection is specified in the Division 2 Section, "Site Clearing."

#### 3.2 DEWATERING

- A. Prevent surface water and subsurface or ground water from entering excavations, from ponding on prepared subgrades, and from flooding project site and surrounding area.
- B. Protect subgrades and foundation soils from softening and damage by rain or water accumulation.
- C. Remove accumulated or ponded water from excavations, trenches and prepared subgrades.

### 3.3 EXCAVATION

- A. Explosives: Do not use explosives.
- B. Unclassified Excavation: Excavation is unclassified and includes excavation to required subgrade elevations regardless of the character of materials and obstructions encountered.

### 3.4 STABILITY OF EXCAVATIONS

- A. Comply with local codes, ordinances, and requirements of authorities having jurisdiction to maintain stable excavations.
- B. Protect excavations by shoring, bracing, sheet piling, underpinning, or other methods required to prevent cave-in or loose soil from falling into excavation.
- C. Underpin adjacent structures which may be damaged by excavation work, including service utilities and pipe chases.

### 3.5 EXCAVATION FOR STRUCTURES

- A. Excavate to indicated elevations and dimensions within a tolerance of plus or minus 0.10 foot. Extend excavations a sufficient distance from structures for placing removing concrete form work, installing services and other construction, and for inspections.
  - 1. Excavations for Footings and Foundations: Do not disturb bottom of excavation. Excavate by hand to final grade just before placing concrete reinforcement. Trim bottoms to required lines and grades to leave solid base to receive other work.

### 3.6 EXCAVATION FOR UTILITY TRENCHES

- A. Excavate trenches to indicated slopes, lines, depths, and invert elevations.
  - 1. Beyond building perimeter, excavate trenches to allow installation of top of pipe below frost line.
- B. Excavate trenches to uniform widths to provide a working clearance on each side of pipe or conduit. Excavate trench walls vertically from trench bottom to 12 inches higher than top of pipe or conduit, unless otherwise indicated.
  - 1. Clearance: 8 inches from side of pipe of conduit.

C. Trench bottoms: Excavate and shape trench bottoms to provide uniform bearing and support of pipes and conduit. Shape subgrade to provide continuous support for bells, joints, and barrels of pipes and for joints,, fittings, and bodies of conduits. Remove stones and sharp objects to avoid point loading.

1. Carry trench excavation 6 inches below invert elevation to receive bedding course.

### 3.7 APPROVAL OF SUBGRADE

- A. Notify Inspector when excavations have reached required subgrade.
- B. Notify Inspector of unexpected subsurface conditions encountered and discontinue work in area until notified to resume work.
- C. Construct subgrades damaged by freezing temperatures, frost, rain, accumulated water, or construction activities, as directed by the Inspector.

### 3.8 UNAUTHORIZED EXCAVATION

- A. Where indicated widths of utility trenches are exceeded, provide special installation procedures, as required by the Geotechnical/Inspector.

### 3.9 STORAGE OF SOIL MATERIALS

- A. Stockpile excavated materials acceptable for backfill and fill soil materials, including acceptable borrow materials. Stockpile soil materials without intermixing. Place, grade, and shape stockpiles to drain surface water. Cover to prevent wind-blown dust.
  1. Stockpile soil materials away from edge of excavations. Do not store within drip line of remaining trees.

### 3.10 BACKFILL

- A. Backfill excavations promptly, but not before completing the following:
  1. Acceptance of construction below finish grade including, where applicable, dampproofing, waterproofing, and perimeter insulation.
  2. Surveying locations of underground utilities for record documents.
  3. Testing, inspecting, and approval of underground utilities.
  4. Concrete form work removal.
  5. Removal of trash and debris from excavation.
  6. Removal of temporary shoring and bracing, and sheeting.

7. Installing permanent or temporary horizontal bracing on horizontally-supported walls.

### 3.11 UTILITY TRENCH BACKFILL

- A. Place and compact bedding course and to fill unauthorized excavations. Shape bedding course to provide continuous excavations. Shape bedding course to provide continuous support for bells, joints, and barrels of pipes and for joints, fittings, and bodies of conduits. Compact bedding material to a minimum density of 90% Proctor according to ASTM D 1557.
- B. Place and compact initial backfill of bedding material, satisfactory soil material or subbase material, free of particles larger than 1 inch, as indicated, to a height of 12 inches over the utility pipe or conduit.
  1. Carefully compact material under pipe haunches and bring backfill evenly up on both sides and along the full length of utility piping or conduit to avoid damage or displacement of utility system.
- C. Coordinate backfilling with utilities testing.
- D. Fill voids with approved backfill materials as shoring and bracing, and sheeting is removed.
- E. Place and compact final backfill of satisfactory soil material to final subgrade.

### 3.12 DISPOSAL OF SURPLUS AND WASTE MATERIALS

- A. Disposal: Remove Surplus satisfactory soil and waste material, including unsatisfactory soil, trash, and debris, and legally dispose of it off the Owner's property.

END OF SECTION 02200

## SECTION 02700

### SEWERAGE AND DRAINAGE

#### PART 1 - GENERAL

##### 1.1 RELATED DUCUMENTS

- A. Drawings and general provisions of the Contract.

##### 1.2 SUMMARY

- A. This Section includes sewerage and drainage systems outside the building. Systems include the following:
  - 1. Sanitary sewerage.
  - 2. Storm drainage.
- B. Related Sections: The following Sections contain requirements that relate to this Section.
  - 1. Division 2 Section "Earthwork" for excavation, trenching and backfilling.

##### 1.3 DEFINITIONS

- A. Drainage Piping: system of sewer pipe, fittings, and appurtenances for gravity flow of storm drainage.
- B. Sewerage Piping: system of sewer pipe, fittings, and appurtenances for gravity flow of sanitary sewage.

##### 1.4 PERFORMANCE REQUIREMENTS

- A. Gravity-Flow, Non-pressure Piping Pressure Ratings: At least equal to system test pressure.

## 1.5 SUBMITTALS

- A. General: Submit each item in this Article according to the conditions of the contract.
- B. Shop drawings for pre-cast concrete catch basins, manholes and other structures. Include frames, covers, grates and steps.
- C. Shop drawings for cast-in-place concrete manholes and other structures. Include frames, covers, grates and steps.
- D. Reports and calculations for design mixes for each class of cast-in-place concrete.
- E. As-built drawings showing systems piping. Draw at a scale of not less than 1 inch equals 50 feet. Indicate underground structures and pipe. Show types, sizes, materials, and elevations of other utility crossing system piping. Include drawings for the following piping systems:
  - 1. Sanitary sewerage.
  - 2. Storm drainage.
- F. Inspection and test reports specified in the Field Quality Control” Article.

## 1.6 QUALITY ASSURANCE

- A. Regulatory Requirements:
  - 1. Provide work and materials in accordance with applicable District Specifications.
- B. Environmental Agency Compliance: Comply with regulations pertaining to sanitary sewage and storm drainage systems.
- C. Utility Compliance: comply with regulations pertaining to sanitary sewerage and storm drainage systems. Include standards of water and other utilities where appropriate.
- D. Product Options: Drawings indicate sizes, profiles, connections, and dimensional requirements of system components and are based on specific manufacturer types indicated. Other manufacturers’ products with equal performance characteristics may be considered. Refer to Division 1 Section, “Product Substitutions.”

## 1.7 DELIVERY, STORAGE, AND HANDLING

- A. Site Information: Perform site survey, research public utility records, and verify existing utility locations. Notify underground utility users in accordance with applicable codes.
- B. Locate existing structures and piping to be closed and abandoned.
- C. Existing Utilities: Do not interrupt existing utilities serving facilities occupied by the Owner or others, except when permitted under the following conditions, and then only after arranging to provide acceptable temporary utility services.
  - 1. Notify sewer district not less than 48 hours in advance of proposed utility interruptions.
  - 2. Do not proceed with utility interruptions without receiving the sewer district's written permission.

## 1.9 SEQUENCING AND SCHEDULING

- A. Coordinate sanitary sewerage system connections to existing on-site sanitary sewer.
- B. Coordinate storm drainage system connections to existing on-site storm sewer.
- C. Coordinate with interior building drainage systems.
- D. Coordinate with other utility work.

## PART 2 - PRODUCTS

### 2.1 MANUFACTURERS

- A. Manufacturers: Subject to compliance with requirements, provide products by one of the following:
  - 1. Manhole Steps
    - a) Neenah Foundry Co.
    - b) Campbell Foundry Co.
  - 2. Manhole Frame and Cover
    - a) Neenah Foundry Co.
    - b) Campbell Foundry Co.

### 3. Manhole Gaskets

- a) Pres-Seal Gasket Corporation
- b) DuraTech, Inc.

### 4. Trench-Drain Frame, Grate and Cover

- a) Neenah Foundry Co.

## 2.2 PIPES AND FITTINGS

### A. Corrugated, Polyethylene (PE) Plastic Pipe and Fittings: AASHTO M 294, Type S, with smooth waterway for coupling joints.

- 1. Watertight Couplings: Polyethylene (PE) bell/bell non-cleated sleeve with ASTM D 3212, o-ring seals, that mates with pipe and fittings to form silt-tight joints.

### B. Polyvinyl Chloride (PVC) Sewer Pipe and Fittings: ASTM D 3034, SDR 35, extra strength, for gasketed joints with a grooved pre-molded coupling bell and sleeve.

- 1. Gaskets: ASTM F 477, elastomeric seal.

### C. Reinforced Concrete Sewer Pipe and Fittings: ASTM C 76 (ASTM C 76M), Class III, Wall B, for gasketed joints.

- 1. Gaskets: ASTM C 443 (ASTM C 443M), rubber.

## 2.3 SPECIAL PIPE COUPLINGS AND FITTINGS

### A. Sleeve-type Pipe Couplings: Rubber or elastomeric sleeve and band assembly fabricated to match outside diameters of pipes to be joined, for non-pressure joints.

- 1. Sleeves for Dissimilar Pipes: Compatible with pipe materials being joined.
- 2. Bands: Stainless steel, at least one (1) at each pipe insert.

### B. Gasket-type Pipe Couplings: Rubber or elastomeric compression gasket, made to match outside diameter of pipe and inside diameter or hub of adjoining pipe, for non-pressure joints.

- 1. Gaskets for Dissimilar Pipes: Compatible with pipe materials being joined.



## 2.4 MANHOLES

- A. Pre-cast Concrete Manholes: ASTM C 478, pre-cast, reinforced concrete, of depth indicated, with provision for neoprene gasket joints.
1. Base Section: 8 inch minimum thickness for floor slab and 5 inch minimum thickness for walls and base 48 inch diameter riser section and 6 inch minimum thickness for walls and base 60 inch diameter riser section, and having a separate base slab or base section with integral floor.
  2. Riser Sections: 5 inch minimum thickness, 48 inch diameter and 6 inch minimum thickness, 60 inch diameter, and lengths to provide depth indicated.
  3. Top Section: Flat slab-top type.
  4. Gaskets: ASTM D 1056 neoprene.
  5. Grade rings: Include 2 or 3 reinforced concrete rings, of 6 to 9 inch total thickness, that match a 24 inch diameter frame and cover. Pre-cast grade adjustment rings shall conform to SHS, 605.2.d.
  6. Steps: Extruded aluminum alloy 6061-T6,  $\frac{3}{4}$  inch in diameter similar in design to Neenah Foundry Co., Catalog Number R-1982-W, or copolymer Polypropylene Coated  $\frac{1}{2}$  inch diameter grade 60 steel reinforcement as manufactured by M.A. Industries, Inc. Steps shall have a drop front design with minimum 10 inch clear-rung width. Cast steps into riser and top section sidewalls at 12 inch intervals, first step shall be no further than 24 inches below the manhole cover rim. Omit steps for manhole less than 60 inches deep.
  7. Pipe Connectors: ASTM C 923 (ASTM C 923M), resilient, of size required, for each pipe connecting to base section.
- B. Manhole Frames and Covers: ASTM A 48-83. Class 35B, heavy-duty gray iron similar in design to Neenah Foundry Company, Catalog Number R-1656. Include indented top design with lettering, equivalent to the following, cast into cover.
1. Sanitary Sewerage Piping Systems: SEWER.
  2. Storm Drainage Piping systems: STORM SEWER.

## 2.5 CATCH BASINS

- A. Pre-cast concrete Catch Basins: ASTM C 478, pre-cast reinforced concrete, of depth indicated, with provision for rubber gasket joints.
1. Base Section: 6 inch minimum thickness for floor slab and 6 inch minimum thickness for walls and base riser section, and having a separate base slab or base section with integral floor.
  2. Riser Sections: 6 inch minimum thickness; 24 inch by 45  $\frac{1}{4}$  inches inside dimensions, and lengths to provide depth indicated.
  3. Gaskets: ASTM C 443 (ASTM C 443M), rubber.

4. Grade Adjustment: Pre-cast concrete grade adjustment rings, when required, shall conform to SHS, Subsection 605.2.d. Set in full mortar beds.
  5. Steps: Fiber glass, individual steps or ladder. Include a width that allows a worker to place both feet on one step and is designed to prevent lateral slippage off the step. Cast steps or anchor ladder into base, riser, and top section sidewalls at 12 inch to 16 inch intervals. Omit steps for catch basins less than 60 inches deep.
  6. Steps: ASTM C 478 (ASTM C 478M) individual steps or ladder. Omit steps for catch basins less than 60 inches deep.
  7. Pipe Connectors: ASTM C 923 (ASTM C 923M), resilient, of size required, for each pipe connecting to base section.
- B. Cast-in-Place Concrete Catch Basins and Trench Drains: Construct of reinforced concrete, designed according to ASTM C 857 for structural loading. Include depth, shape, dimensions, and appurtenances indicated.
1. Bottom, Walls, and Top: Reinforced concrete.
  2. Channels and Benches: Concrete.
  3. Steps: Cast steps into sidewalls at 12 inch intervals. Omit steps for catch basins less than 60 inches deep.
- C. Frames and Grates - Catch Basins: ASTM A36, Carbon Steel. Dimensions as indicated. Coat structural steel grates with bituminous paint in the shop or in the field prior to placement. Coat structural steel frames with bituminous paint at the time of placement in the concrete inlet top.
- D. Frames and Grates - Trench Drains: ASTM A48-83, Class 35B, heavy-duty gray iron, similar in design to Neenah Foundry Co., Catalog Number R-4990-Ex with Type A Grate and type E Cover as indicated.

## 2.6 CONCRETE

- A. General: Cast-in-place concrete according to ACI 318, ACI 350R, and the following:
1. Cement: ASTM C 150, Type II.
  2. Fine Aggregate: ASTM C 33, sand.
  3. Coarse Aggregate: ASTM C 33, crushed gravel.
  4. Water: Potable.
- B. Structures: Portland cement design mix, 4,000 psi minimum, with a 0.45 maximum water-cement ratio.
1. Reinforced Fabric: ASTM A 185, steel, welded wire fabric, plain.
  2. Reinforcement Bars: ASTM A 615, Grade 60 (ASTM A 615M, Grade 400), deformed steel.

C. Structure Channels and Benches: Factory or field-formed from concrete. Portland cement design mix, 4,000 psi minimum, with 0.45 maximum water-cement ratio.

1. Include channels and benches in sanitary sewerage manholes and storm drainage manholes.

a) Manhole channels: concrete invert, formed to same width as connected piping, with height of the vertical sides to  $\frac{3}{4}$  of the pipe diameter. Form curved channels with smooth, uniform radius and slope.

1) Invert slope: Same as connecting pipe through manhole.

b) Manhole Benches: Concrete, sloped to drain into channel.

1) Slope: 0.25 inch per foot (1:48).

2. Include channels and benches in storm drainage catch basins.

a) Catch Basin Channels: concrete invert, formed to same width as connected piping, with height of the vertical sides to  $\frac{3}{4}$  of the pipe diameter. Form curved channels with smooth, uniform radius and slope.

b) Catch Basin Benches: Concrete, sloped to drain into channel.

1) Slope: 0.25 inch per foot (1:

D. Ballast and Pipe Supports: Portland cement design mix, 3,000 psi minimum, with 0.58 maximum water-cement ratio.

1. Reinforcement Fabric: ASTM A 185, steel, welded wire fabric, plain.

2. Reinforcement Bars: ASTM A 165, Grade 60 (ASTM A 615M, Grade 400), deformed steel.

## 2.7 PROTECTIVE COATINGS

A. General: Include factory or field-applied protective coatings to structures and appurtenances according to the following:

B. Coating: 1 or 2 coat, coal-tar epoxy, 15 mil minimum thickness, except where otherwise indicated.

## 2.8 OUTFALLS

A. Riprap: Shall conform to SHS, Subsection 850.2 for the size indicated.

## PART 3 - EXECUTION

### 3.1 EARTHWORK

- A. Excavating, trenching, and backfilling are specified in Division 2 Section "Earthwork."

### 3.2 IDENTIFICATION

- A. Materials and their installation are specified in Division 2 Section "Earthwork." Arrange for installation of green warning tapes directly over piping and at outside edges of underground structures.

### 3.3 SEWERAGE PIPING APPLICATIONS

- A. General: Include watertight joints.
- B. Refer to Part 2 of this Section for detailed specifications for pipe and fitting products listed below.

### 3.4 DRAINAGE PIPING APPLICATIONS

- A. General: Include watertight joints.
- B. Refer to Part 2 of this Section for detailed specifications for pipe and fitting products listed below.

### 3.5 SPECIAL PIPE COUPLING AND FITTING APPLICATIONS

- A. Special Pipe Couplings: Use where indicated and where required to join piping and no other appropriate method is specified. Do not use instead of specified joining methods.
  - 1. Use the following pipe couplings for non-pressure applications:
    - a) Strait-pattern, sleeve-type to join piping of same size, with small difference in outside diameters.
    - b) Increaser/reducer-pattern, sleeve-type to join piping of different sizes.
    - c) Gasket-type to join piping of different sizes where annular space between smaller piping's outside diameter and larger piping's inside diameter permits installation.
    - d) Internal expansion-type to join piping with same inside diameter.

### 3.6 INSTALLATION, GENERAL

- A. General Locations and Arrangements: Drawings (plans and details) indicate the general location and arrangement of underground sewerage and drainage systems piping. Location and arrangement of piping layout take into account many design considerations. Install piping as indicated, to extent practical.
- B. Install piping beginning at low point of systems, true to grades and alignment indicated with unbroken continuity of invert. Place bell ends of piping facing upstream. Install gaskets, seals, sleeves, and couplings according to manufacturer's recommendations for use of lubricants, cements, and other installation requirements. Maintain swab or drag in line and pull past each joint as it is completed.
- C. Use manholes for changes in direction except where fittings are indicated. Use fittings for branch connections, except where direct tap into existing sewer is indicated.
- D. Use proper size increasers, reducers, and couplings, where different sizes or materials of pipes and fittings are connected. Reduction of the size of piping in the direction of flow is prohibited.
- E. Install gravity-flow systems piping at constant slope between points and elevations indicated.
- F. Extend sewerage piping and connect to building's sanitary drains, of sizes and in locations indicated. Terminate piping as indicated.
- G. Extend drainage piping and connect to building's storm drains, of sizes and in locations indicated. Terminate piping as indicated.

### 3.7 PIPE JOINT CONSTRUCTION AND INSTALLATION

- A. General: Join and install pipe and fittings according to the following.
- B. Polyethylene (PE) Plastic Pipe and Fittings: As follows:
  - 1. Install according to ASTM D 2321 and manufacturer's written instructions.
- C. Polyvinyl chloride (PVC) Plastic Pipe and fittings: As follows:
  - 1. Install according to ASTM D 2321.

- D. Join piping made of different materials or dimensions with couplings made for this application. Use couplings that are compatible with and fit both systems' materials and dimensions.

### 3.8 MANHOLE INSTALLATION

- A. General: Install manholes, complete with accessories, as indicated.
- B. Form continuous concrete channels and benches between inlets and outlet, where indicated.
- C. Set tops of frames and covers flush with finished surface.
- D. Place pre-cast concrete manhole sections as indicated, and install according to ASTM C 891.
  - 1. Provide neoprene joint gasket complying with ASTM D 1056 at joints of sections.
  - 2. Apply bituminous mastic coating at joints of sections.

### 3.9 CATCH BASIN INSTALLATION

- A. Construct catch basins to sizes and shapes indicated.
- B. Set frames and grates to elevations indicated.

### 3.10 STORM DRAINAGE INLET AND OUTFALL INSTALLATION

- A. Construct riprap of broken stone, as indicated.

### 3.11 CONCRETE PLACEMENT

- A. Place cast-in-place concrete according to ACI 318, ACI 350R, and as indicated.

### 3.12 TAP CONNECTIONS

- A. Make connections to existing piping and underground structures so finished work conforms as nearly as practical to requirements specified for new work.
- B. Make branch connections from side into existing underground structures by cutting an opening into existing unit large enough to allow 3 inches of concrete to be packed around entering connection. Cut end of connection pipe passing through structure wall to conform to shape of and be flush with inside wall, unless otherwise indicated. On outside of structure wall, encase entering

connection in 6 inches of concrete for a minimum length of 12 inches to provide additional support of collar from connection to undisturbed ground.

1. Use concrete that will attain a minimum 28-day compressive strength of 3,000 psi, unless otherwise indicated.
  2. Use epoxy bonding compound as an interface between new and existing concrete and piping materials.
- C. Protect existing piping and structures to prevent concrete or debris from entering while making tap connections. Remove debris or other extraneous material that may accumulate.

### 3.13 FIELD QUALITY CONTROL

- A. Clear interior of piping and structures of dirt and superfluous material as the work progresses. Maintain swab or drag in piping and pull past each joint as it is completed.
1. In large, accessible piping, brushes and brooms may be used for cleaning.
  2. Place plug in end of incomplete piping at end of day and whenever work stops.
  3. Flush piping between manholes and other structures, if required by authorities having jurisdiction, to remove collected debris.
- B. Inspect interior of piping to determine whether line displacement or other damage has occurred. Inspect after approximately 24 inches of backfill is in place, and again at completion of the project.
1. Submit separate reports for each system inspection.
  2. Defects requiring correction include the following:
    - a) Alignment: Less than full diameter of inside of pipe is visual between structures.
    - b) Deflection: flexible piping with deflection that prevents passage of a ball or cylinder of a size not less than 92.5 percent of piping diameter.
    - c) Crushed, broken, cracked, or otherwise damaged piping.
    - d) Infiltration: Water leakage into piping.
    - e) Exfiltration: Water leakage from or around piping.
  3. Replace defective piping using new materials and repeat inspections until defects are within allowances specified.
  4. Re-inspect and repeat procedure until results are satisfactory.
- C. Test new piping systems and parts of existing systems that have been altered, extended, or repaired for leaks and defects.
1. Do not enclose, cover, or put into service before inspection and approval.

2. Test completed piping systems according to authorities having jurisdiction.
3. Schedule tests, and their inspections by authorities having jurisdiction, with at least 24 hours' advance notice.
4. Submit separate reports for each test.
5. Perform tests as follows:

a) Sanitary Sewerage: Perform air test according to the following:

1) Scope:

1.1 This section defines the procedure for testing sewer pipe using low-pressure air to demonstrate the structural integrity of the installed line.

1.1 This test method shall be performed on lines after connection laterals, if any have been plugged and braced adequately with standard test pressure, and after the trenches have been backfilled to a sufficient depth to generate a significant portion of the ultimate trench load on the pipe.

1.2 This test method may also be used as a preliminary test, which enables the installer to demonstrate the condition of the line prior to backfill and further construction activities.

2) Hazards:

2.1 The low-pressure air test may be dangerous to personnel if, through lack of understanding or carelessness, a line is overpressurized or plugs are installed improperly. It is extremely important that the various plugs be installed so as to prevent a sudden explosion of a poorly-installed or partially-inflated plug.

3) Procedure:

3.1 Determine the test time for the section according to the following table:

TABLE 1 - MINIMUM TEST TIME FOR VARIOUS PIPE SIZES

<u>Normal</u> <u>Pipe Size, Inches</u>	<u>T (Time)</u> <u>Min./100 Ft.</u>	<u>Normal</u> <u>Pipe Size, Inches</u>	<u>T (Time)</u> <u>Min./100 Ft.</u>
6	0.7	27	4.2
8	1.2	30	4.8
10	1.5	33	5.4

3.2 Plug all openings in the test section.

3.3 Add air until the internal pressure of the line is raised to approximately 4.0 psi (28 kPa). After this pressure is reached, allow the pressure to stabilize. The pressure will drop normally as the air temperature stabilizes. This usually takes 2-5 minutes, depending upon the pipe size. The pressure should be reduced to 3.5 psi (24 kPa) before starting the test.



3.4 Start the test when the pressure is at 3.5 psi (24 kPa). If a 1 psi (7 kPa) drop does not occur within the test time, the line has passed. If the pressure drop is more than 1 psi (7 kPa) during the test time, the line is presumed to have failed the test.

6. Manholes: Perform hydraulic test according to ASTM C 969 (ASTM C 969M).
7. Leaks and loss n test pressure constitute defects that must be repaired.
8. Replace leaking piping using new materials and repeat testing until leakage is within allowances specified.

END OF SECTION 02700

# APPLICATION FOR APPROVAL OF PLANS FOR A WASTEWATER DISPOSAL SYSTEM

1. NAME OF APPLICANT <b>TOWN OF NEW WINDSOR</b>		2. LOCATION OF WORKS (City, Village, Town) <b>TOWN OF NEW WINDSOR</b>		3. COUNTY <b>ORANGE</b>	
4. ENTITY OR AREA SERVED <b>CHERRY VALLEY BUILDERS STELLA'S WAY</b>		5. TYPE OF OWNERSHIP <input checked="" type="checkbox"/> Municipal <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Sewage Works Corp. <input type="checkbox"/> Private - Home <input type="checkbox"/> Private - Other <input type="checkbox"/> Private - Institutional <input type="checkbox"/> Board of Education <input type="checkbox"/> Authority <input type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Interstate <input type="checkbox"/> International <input type="checkbox"/> Indian Reservation			
6. TYPE AND NATURE OF CONSTRUCTION Collection System <input type="checkbox"/> New <input type="checkbox"/> Additions or Alterations		Treatment and/or Disposal <input type="checkbox"/> New <input type="checkbox"/> Additions or Alterations		7. ESTIMATED COST OF CONSTRUCTION Collection System <b>\$ 26,000</b> Treatment and/or Disposal —	
8. TYPE OF WASTE <input checked="" type="checkbox"/> Sewage <input type="checkbox"/> Industrial (Specify) _____ <input type="checkbox"/> Other (Specify) _____					
9. NAME OF RECEIVING TREATMENT WORKS <b>TOWN OF NEW WINDSOR SEWER PLANT</b>		10. POINT OF DISCHARGE Surface Water: (Name of Watercourse) <b>MODONA CREEK</b> Class _____ Ground Water: (Name of Watercourse to which ground water is tributary) Class _____			
11. IS STATE OR FEDERAL AID APPLIED FOR? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Give Project No. _____		LOCATION (City, Village, Town) <b>TOWN OF NEW WINDSOR</b>		TYPE OF PERMIT <input type="checkbox"/> NPDES <input checked="" type="checkbox"/> SPDES	
12. NAME OF DESIGN ENGINEER <b>MICHAEL J. SANDOR, PE, MJS ENGINEERING R</b>		NEW YORK STATE LICENSE NO. <b>60445</b>		TELEPHONE NO. <b>845-291-8650</b>	
13. ADDRESS <b>261 GREENWICH AVE, GOSHEN NY 10924</b>					
14. WATER CONSUMPTION (GPD) Present <b>0</b>		Future <b>1050 GAL/DAY</b>		Design Year <b>2004</b>	
15. POPULATION SERVED Present <b>0</b>		Future <b>3,400 RM HOUSES 12 PERSONS</b>		Design Year <b>2004</b>	
16. AVERAGE DAILY FLOW FOR NEW OR EXISTING TREATMENT WORKS (GPD) Present _____		Future _____		Design Year _____	
17. SOURCE OF WATER SUPPLY (If private well; give location, type, depth and character of soil) <b>INDIVIDUAL WELLS - PROPOSED, ONE EACH LOT THREE TOTAL</b>				18. DESIGN EQUIVALENT POPULATION (BOD Basis) Design Flow _____ GPD Design Plant Efficiency _____	
19. GIVE NUMBER, CHARACTER AND DISTANCE OF ANY BUILDINGS WHICH MAY BE AFFECTED BY THE PROPOSED TREATMENT WORKS <b>NONE</b>				20. DESCRIBE PROPOSED OR EXISTING STORM WATER DISPOSAL <b>EXISTING SHEET FLOW, SUBDIVISION TO BE SERVED BY BURIED COLLECTION SYSTEM</b>	
21. ADDITIONAL INFORMATION MUST BE SUBMITTED FOR PRIVATE AND INSTITUTIONAL SYSTEMS.					
22. INDICATE OF U.S.G.S. TOPOGRAPHIC MAP EXACT LOCATION OF SEWAGE TREATMENT WORKS AND ADJACENT BUILDINGS. SHOW LOCATION OF ALL WELLS OR OTHER SOURCES OF WATER SUPPLY WITHIN 200' OF THE PROPOSED WORKS. GIVE DESCRIPTION OF THESE SOURCES AND CHARACTER OF SOIL.					
23. STATE DEPTH BELOW EXISTING GROUND SURFACE AT WHICH GROUND WATER IS ENCOUNTERED <b>&gt; 6 FT</b>		24. DESCRIBE SOIL AT SITE OF PROPOSED WORKS. GIVE DESIGN BASIS AND OBSERVED SOIL PERCOLATION RATE DATA (Use additional sheet, if necessary)			
25. DATE:					

**NOTE:** All applications must be accompanied by plans, specifications and completed Form BSP-65 (appropriate portions). The submission must conform to a previously approved engineering report describing the system in detail. The plans must be stamped with the designing engineer's seal and must be of sufficient clarity and eligibility to permit satisfactory microfilming. Only white prints will be accepted because of the difficulty of microfilming blue prints. There must be a blank area, at least 4" x 7", in the lower right corner of each sheet so that the approval stamp may be placed on the face of the plans.

Any deviation from the Department's standards for wastewater collection and treatment facilities must be explained in detail.

Approved plans are to be returned to: ☐ Applicant ☒ Engineer

If the application is signed by a person other than the applicant shown in Item 1, the application must be accompanied by a letter of authorization. Failure to comply with this provision may be grounds for the rejection of any submission.

I hereby affirm under penalty of perjury that information provided on this form is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Signatures and Official Titles: \_\_\_\_\_  
\_\_\_\_\_

Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

Date of Application: \_\_\_\_\_

REMARKS:

**NOTE:** All applications must be accompanied by plans, specifications and completed Form BSP-65 (appropriate portions). The submission must conform to a previously approved engineering report describing the system in detail. The plans must be stamped with the designing engineer's seal and must be of sufficient clarity and eligibility to permit satisfactory microfilming. Only white prints will be accepted because of the difficulty of microfilming blue prints. There must be a blank area, at least 4" x 7", in the lower right corner of each sheet so that the approval stamp may be placed on the face of the plans.

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If the application is signed by a person other than the applicant shown in Item 1, the application must be accompanied by a letter of authorization. Failure to comply with this provision may be grounds for the rejection of any submission.

I hereby affirm under penalty of perjury that information provided on this form is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Signatures and Official Titles:

  
GEORGE J. MEYERS SUPERVISOR  
TOWN OF NEW WINDSOR

Mailing Address:

555 UNION AVE

NEW WINDSOR N.Y. 12553

Date of Application:

4 JAN 2005

REMARKS:

PROJECT I.D. NUMBER

617.21

SEQR

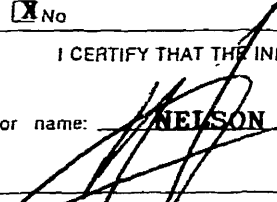
Appendix C

State Environmental Quality Review

**SHORT ENVIRONMENTAL ASSESSMENT FORM**

For UNLISTED ACTIONS Only

**PART I—PROJECT INFORMATION** (To be completed by Applicant or Project sponsor)

1. APPLICANT (SPONSOR) <b>ADONI ENGINEERING &amp; LAND SURVEYING, PC</b>		2. PROJECT NAME <b>STELLA WAY SUBDIVISION</b>	
3. PROJECT LOCATION: Municipality <b>TOWN OF NEW WINDSOR</b> County <b>ORANGE</b>			
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <b>ON THE NORTH SIDE OF SCHIAVONE ROAD, +/- 700 FEET WEST OF VASCHELLO ROAD (SECTION 57, BLOCK 1, LOTS 52 &amp; 60).</b>			
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration			
6. DESCRIBE PROJECT BRIEFLY: <b>THREE LOT SUBDIVISION IS PROPOSED ON A VACANT, WOODED 5.5 ACRE PARCEL LOCATED OFF OF SCHIAVONE ROAD. NEW ROAD TO BE A PRIVATE RIGHT-OF-WAY NAMED STELLA WAY AND WILL CONTAIN SEWER AND DRAINAGE AS NEEDED.</b>			
7. AMOUNT OF LAND AFFECTED: Initially <b>4.0+</b> acres Ultimately <b>4.0+</b> acres			
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly			
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:			
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals <b>MUNICIPAL PLANNING BOARD</b>			
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval			
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE			
Applicant/sponsor name: <b>NEILSON T. PIERRE, P.E.</b>		Date: <b>3/07/03</b>	
Signature: 			

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

1

MAR 24 2003

03-03

**PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)**

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.  
☐ Yes ☒ No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.  
☒ Yes ☐ No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:  
*No*

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:  
*No*

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:  
*No*

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:  
*No*

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly.  
*No*

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly.  
*No*

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly.  
*No*

D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?  
☐ Yes ☒ No If Yes, explain briefly

**PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

☐ Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

☒ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary, the reasons supporting this determination:

*Town of New Windsor Planning Board*  
Name of Lead Agency

*James Petro*  
Print or Type Name of Responsible Officer in Lead Agency

*James Petro Chairman*  
Title of Responsible Officer

*James Petro*  
Signature of Responsible Officer in Lead Agency

*[Signature]*  
Signature of Preparer (If different from responsible officer)

*9-22-04*  
Date

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board not require a second public hearing due to the small changes and insignificant conditions of them for the Stella Way minor subdivision. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. GALLAGHER	AYE
MR. MASON	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE


MR. EDSALL: Is it in front of DEC now or no?

MR. CLEARWATER: No.

MR. PETRO: Entertain a motion for negative dec.

MR. ARGENIO: So moved.

MR. MASON: Second it.

 MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec under the SEQRA process for the Stella Way minor subdivision. Any further discussion from the board members?

MR. EDSALL: I just want the record to be clear that the reason why you didn't do the negative dec back in 2003 following the public hearing is that there was at drainage issue that required Henry and I to make a field visit that's since has been resolved, this was the only issue that was holding it up.

ROLL CALL

MR. SCHLESINGER      AYE  
MR. GALLAGHER        AYE  
MR. MASON            AYE  
MR. ARGENIO          AYE  
MR. PETRO            AYE

MR. PETRO: We have highway approval on 9/21/2004, we have fire approval on 9/16/2004, 911 need to assign numbers, must be picked up, placed on the plan. Please submit three copies.

MR. EDSALL: Myra, this had preliminary already? No?

MR. PETRO: This used to be listed under fire, is this something separate? John's doing them both?

MS. MASON: Yeah but they're two separate reviews so you can give a disapproval to one and not the other.

MR. PETRO: Wasn't like that before.

MS. MASON: No.

MR. PETRO: Okay, all right, so Mark, other than the E-911 numbers being assigned, what else do you have?

MR. EDSALL: This doesn't have at this point as I recall preliminary approval?

MR. CLEARWATER: No, it doesn't.

MR. EDSALL: So the next step similar to the previous application will be a preliminary approval so they can move on.

MR. PETRO: Motion for preliminary approval.

MR. ARGENIO: So moved.



# CERTIFICATE OF ALLOCATION

MOODNA CREEK DEVELOPMENT, LTD., a New York Corporation 2 Mill Street, Cornwall, New York 12518, (hereafter called MOODNA) hereby allocates, assigns and transfers to CHERRY VALLEY BUILDERS, INC., a limited partnership with principal place of business located at 110 Cherry Valley Avenue, West Hempstead, New York 11552, (hereafter called DEVELOPER), who hereby receives and accepts, the unconditional, continuous and irrevocable right to ONE THOUSAND FIFTY (1,050) gallons of daily sanitary sewage treatment discharge capacity at the Town of New Windsor sewage treatment plant, allotted from the Majestic Sewer District total daily sewage treatment capacity (hereafter called TOTAL CAPACITY), for the exclusive use and benefit of three (3) single family residence units in the Town of New Windsor, Orange County, New York designated as tax map parcel Section 57, Block 1, Lots 52 and 60.

MOODNA acknowledges and agrees to forebear from using daily sewage treatment discharge capacity that is part of the total capacity that is in excess of the total capacity as reduced by the ONE THOUSAND FIFTY (1,050) gallons of daily sewage treatment capacity allocated to DEVELOPER by this certificate.

Dated: February 12<sup>th</sup>, 2004

MOODNA CREEK DEVELOPMENT, LTD.

By:

Isaac Landau  
ISAAC LANDAU, PRESIDENT

STATE OF NEW YORK:

:SS.:

COUNTY OF ORANGE :

On the 12<sup>th</sup> day of February, 2004 before me, the undersigned, a Notary Public in and for said State, personally appeared Isaac Landau, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

BRIDGET M. MANISCALCO  
Notary Public, State of New York  
No. 4616913  
Qualified in Orange County  
Commission Expires December 31, 2005

Bridget M. Maniscalco  
NOTARY PUBLIC - STATE OF NEW YORK

Consent to this certificate has been granted [redacted] B)

[redacted] Town of New Windsor.

Dated: 11/15 2004

TOWN OF NEW WINDSOR

By:

George Meyers  
GEORGE MEYERS, SUPERVISOR



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4693

## OFFICE OF THE PLANNING BOARD

19 June 2003

**SUBJECT: STELLA WAY (CHERRY VALLEY) MINOR SUBDIVISION  
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK  
(NWPB REF. NO. 03-08)**

To all Involved Agencies:

The Town of New Windsor Planning Board has had placed before it an application for Minor Subdivision approval of the Stella Way project, located off Schiavone Road within the Town. The project involves, in general, the subdivision of a 5.3 +/- acre property (currently two tax lots) into three (3) single-family lots. A new private roadway and a sewer main extension are proposed. It is the opinion of the Town of New Windsor Planning Board that the action is an Unlisted Action under SEQRA. This letter is written as a request for Lead Agency Coordination as required under Part 617 of the Environmental Conservation Law.

A letter of response with regard to your interest in the position of Lead Agency, as defined by Part 617, Title 6 of the Environmental Conservation Law and the SEQRA review process, sent to the Planning Board at the above address, attention of Mark J. Edsall, P.E., Planning Board Engineer (contact person), would be most appreciated. Should no other involved agency desire the Lead Agency position; it is the desire of the Town of New Windsor Planning Board to assume such role. Should the Planning Board fail to receive a written response requesting Lead Agency within thirty (30) days, it will be understood that you do not have an interest in the Lead Agency position. Thank you for your attention to this matter. Should you have any questions regarding this notice, please feel free to contact the undersigned at the above number or (845) 567-3100.

Very truly yours,

*Mark J. Edsall, P.E. P.P.*  
Mark J. Edsall, P.E., P.P.  
Planning Board Engineer

NYS Department of Environmental Conservation, New Paltz  
New York State Parks, Recreation and Historic Preservation  
George J. Meyers, Town of New Windsor Supervisor (w/o encl)  
Town of New Windsor Town Clerk (w/o encl)  
Orange County Department of Planning  
Myra Mason, Planning Board Secretary  
Planning Board Attorney (w/o encl)  
Applicant (w/o encl)

Map Number 395-06 City New Windsor ~~2000-20~~ 03-08  
Section 57 Block 1 Lot 52 & 60 Town 1 Village 1

Title: Cherry Valley Builders, Inc.

Dated: 3/15/2006 Filed: 5/16/2006

Approved by: Genaro Argenio  
on: 3/29/2006

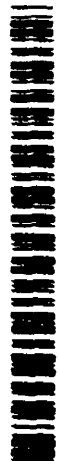
Record Owner: Cherry Valley Builders

DONNA L. BENSON  
Orange County Clerk

5 sheets = \$ 50  
+ 3 extra 9

\$59 total

RECORDED/FILED ORANGE COUNTY  
BOOK 02006 PAGE 0395  
05/16/2006 10:38:55  
FILE NUMBER 20060053448  
RECEIPT#577682 patti



PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 04/17/2006

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]  
A [Disap, Appr]

FOR PROJECT NUMBER: 3-8

NAME: STELLA WAY SUBDIVISION PA

APPLICANT: CHERRY VALLEY

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
03/29/2006	PLANS STAMPED	APPROVED
03/09/2005	P.B. APPEARANCE . SUBJECT TO MARK'S COMMENTS	COND APPR
09/22/2004	P.B. APPEARANCE . DETERMINED NEW PUBLIC HEARING IS NOT NECESSARY - DECL NEG . DEC - NEED SEWER ALLOCATION AGREEMENT EXECUTED BY SUPERVISOR . - NEED DEC APPROVAL	ND: PRELIM APPR
08/11/2004	P.B. APPEARANCE	ADDRESS MARKS COMM
09/24/2003	P.B. APPEARANCE - DISCUSSION . BOARD APPROVED CUTTING OF TREES ONLY AT THIS TIME	REQUEST TO CUT TREES
08/27/2003	P.B. APPEARANCE	NO SHOW
06/11/2003	P.B. APPEARANCE . HELD AND CLOSED PUBLIC HEARING - 6/12/03 INFORMED JOY OF . ADONI ENG. I NEED ONE-SHEET SUB. PLAN AND 10 SETS OF EAF FOR . LEAD AGENCY LETTERS - HAVE HENRY & MARK CHECK CULVERTS FOR . DRAINAGE ON SCHIAVONNE ROAD	CLOSED PH - RETURN
03/26/2003	P.B. APPEARANCE . NEED EASEMENT FOR SEWER MAIN (TO BE CHECKED BY CROTTY) - . NEED SEWER ALLOCATION - MARK TO CHECK SIGHT DISTANCE WITH . HENRY - GET HIGHWAY APPROVAL BEFORE SETTING PH (MARK TO . COORDINATE W/HENRY	COORD LTR/SCHED PH

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 04/17/2006

PAGE: 1

LISTING OF PLANNING BOARD **FEES**  
**ESCROW**

FOR PROJECT NUMBER: 3-8  
NAME: STELLA WAY SUBDIVISION PA  
APPLICANT: CHERRY VALLEY

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
03/24/2003	REC. CK. #1462	PAID		450.00	
03/26/2003	P.B. ATTY. FEE	CHG	35.00		
03/26/2003	P.B. MINUTES	CHG	31.50		
06/11/2003	P.B. ATTY. FEE	CHG	35.00		
06/11/2003	P.B. MINUTES	CHG	45.00		
07/03/2003	POSTAGE	CHG	2.49		
08/11/2004	P.B. MINUTES	CHG	16.50		
08/11/2004	P.B. ATTY. FEE	CHG	35.00		
03/09/2005	P.B. ATTY.FEE	CHG	35.00		
03/09/2005	P.B. MINUTES	CHG	16.50		
06/07/2005	P.B. ENGINEER FEE	CHG	1577.30		
09/12/2005	REC. CK. #2087	PAID		1379.29	
		TOTAL:	1829.29	1829.29	0.00

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 04/17/2006

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LISTING OF PLANNING BOARD **FEES**  
**PERFORMANCE BND**

FOR PROJECT NUMBER: 3-8  
NAME: STELLA WAY SUBDIVISION PA  
APPLICANT: CHERRY VALLEY

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/07/2005	PUBL IMP	CHG	23150.00		
06/07/2008	PRIVATE IMP.	CHG	139965.00		
			-----	-----	-----
		TOTAL:	163115.00	0.00	163115.00

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 04/17/2006

PAGE: 1

LISTING OF PLANNING BOARD **FEES**  
**RECREATION**

FOR PROJECT NUMBER: 3-8  
NAME: STELLA WAY SUBDIVISION PA  
APPLICANT: CHERRY VALLEY

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/07/2005	2 LOTS	CHG	4000.00		
09/12/2005	REC. CK. #2088	PAID		4000.00	
			-----	-----	-----
		TOTAL:	4000.00	4000.00	0.00

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 04/17/2006

PAGE: 1

LISTING OF PLANNING BOARD **FEES**  
**APPROVAL**

FOR PROJECT NUMBER: 3-8  
NAME: STELLA WAY SUBDIVISION PA  
APPLICANT: CHERRY VALLEY

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/07/2005	APPROVAL FEE	CHG	365.00		
09/12/2005	REC. CK. #2086	PAID		365.00	
		TOTAL:	365.00	365.00	0.00



PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 04/17/2006

PAGE: 1

LISTING OF PLANNING BOARD **FEES**  
**4% FEE**

FOR PROJECT NUMBER: 3-8  
NAME: STELLA WAY SUBDIVISION PA  
APPLICANT: CHERRY VALLEY

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/07/2005	4% OF 23,150. PUB IMP.	CHG	926.00		
06/07/2005	2% OF 139,965. PRIV IMP.	CHG	2799.30		
09/12/2005	REC. CK. #2090	PAID		2799.30	
09/12/2005	REC. CK. #2089	PAID		926.00	
		TOTAL:	3725.30	3725.30	0.00

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 04/17/2006

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]  
A [Disap, Appr]

FOR PROJECT NUMBER: 3-8

NAME: STELLA WAY SUBDIVISION PA  
APPLICANT: CHERRY VALLEY

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
03/29/2006	PLANS STAMPED	APPROVED
03/09/2005	P.B. APPEARANCE . SUBJECT TO MARK'S COMMENTS	COND APPR
09/22/2004	P.B. APPEARANCE . DETERMINED NEW PUBLIC HEARING IS NOT NECESSARY - DECL NEG . DEC - NEED SEWER ALLOCATION AGREEMENT EXECUTED BY SUPERVISOR . - NEED DEC APPROVAL	ND: PRELIM APPR
08/11/2004	P.B. APPEARANCE	ADDRESS MARKS COMM
09/24/2003	P.B. APPEARANCE - DISCUSSION . BOARD APPROVED CUTTING OF TREES ONLY AT THIS TIME	REQUEST TO CUT TREES
08/27/2003	P.B. APPEARANCE	NO SHOW
06/11/2003	P.B. APPEARANCE . HELD AND CLOSED PUBLIC HEARING - 6/12/03 INFORMED JOY OF . ADONI ENG. I NEED ONE-SHEET SUB. PLAN AND 10 SETS OF EAF FOR . LEAD AGENCY LETTERS - HAVE HENRY & MARK CHECK CULVERTS FOR . DRAINAGE ON SCHIAVONNE ROAD	CLOSED PH - RETURN
03/26/2003	P.B. APPEARANCE . NEED EASEMENT FOR SEWER MAIN (TO BE CHECKED BY CROTTY) - . NEED SEWER ALLOCATION - MARK TO CHECK SIGHT DISTANCE WITH . HENRY - GET HIGHWAY APPROVAL BEFORE SETTING PH (MARK TO . COORDINATE W/HENRY	COORD LTR/SCHED PH

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 04/17/2006

PAGE: 1

LISTING OF PLANNING BOARD **AGENCY APPROVALS**

FOR PROJECT NUMBER: 3-8

NAME: STELLA WAY SUBDIVISION PA

APPLICANT: CHERRY VALLEY

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
REV1	09/13/2004	MUNICIPAL HIGHWAY	09/21/2004	APPROVED
REV1	09/13/2004	MUNICIPAL WATER	/ /	
REV1	09/13/2004	MUNICIPAL SEWER	/ /	
REV1	09/13/2004	MUNICIPAL FIRE	09/16/2004	APPROVED
REV1	09/13/2004	NYS DOT	/ /	
REV1	09/13/2004	E-911 COORDINATOR	09/15/2004	DISAPPROVED
		. NEED ASSIGNED NUMBERS MUST BE PLACED ON PLAN - PLEASE SUBMIT		
		. THREE COPIES OF c-1 FOR 911 MARK-UP		
ORIG	03/24/2003	MUNICIPAL HIGHWAY	06/10/2003	APPROVED
ORIG	03/24/2003	MUNICIPAL WATER	06/09/2003	APPROVED
ORIG	03/24/2003	MUNICIPAL SEWER	06/20/2003	APPROVED
		. SEWER LATERALS NEED BACKWATER VALVES		
ORIG	03/24/2003	MUNICIPAL FIRE	06/10/2003	APPROVED
ORIG	03/24/2003	NYS DOT	09/13/2004	SUPERSEDED BY REV1

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 04/17/2006

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 3-8

NAME: STELLA WAY SUBDIVISION PA

APPLICANT: CHERRY VALLEY

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	03/24/2003	EAF SUBMITTED	/ /	WITH APPLIC
ORIG	03/24/2003	CIRCULATE TO INVOLVED AGENCIES	03/26/2003	AUTH LETTR
ORIG	03/24/2003	LEAD AGENCY DECLARED	08/11/2004	TOOK LA
ORIG	03/24/2003	DECLARATION (POS/NEG)	09/22/2004	DECL NEG DEC
ORIG	03/24/2003	SCHEDULE PUBLIC HEARING	03/26/2003	SCHED PH
ORIG	03/24/2003	PUBLIC HEARING HELD	06/11/2003	CLOSED PH
ORIG	03/24/2003	WAIVE PUBLIC HEARING	/ /	
ORIG	03/24/2003	PRELIMINARY APPROVAL	09/22/2004	PRELIM APPR
ORIG	03/24/2003		/ /	



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4689

## OFFICE OF THE PLANNING BOARD

June 7, 2005

Cherry Valley Builders  
110 Cherry Valley Avenue  
West Hempstead, NY 11552

ATTN: KEN GASS

SUBJECT: STELLA'S WAY SUBDIVISION

Dear Ken:

Please find attached printouts of fees due for subject project.

Please submit payments in separate checks, payable to the Town of New Windsor, as follows:

### FEES DUE:

Check #1 – Approval Fee	\$ 365.00
Check #2 – Amount over Escrow post	\$ 1,379.29
Check #3 – 2-lot Recreation Fee @ \$2,000.00/ lot	\$ 4,000.00
Check #4 – 4% of Public Improvement Cost Estimate of \$23,150.00 – Inspection Fee	\$ 926.00
Check #5 – 2% of Private Improvement Cost Estimate of \$139,965.00 – Inspection Fee	\$ 2,799.30

### BONDS DUE:

PRIVATE IMPROVEMENTS	\$ 139,965.00
PUBLIC IMPROVEMENTS	\$ 23,150.00

Upon receipt of these checks and/or bonds and ten (10) sets of plans with mylar, I will have the plans stamped and signed approved.

If you have any questions in this regard, please contact my office.

Very truly yours,

A handwritten signature in cursive script, reading "Myra L. Mason", is positioned above a horizontal line.

Myra L. Mason, Secretary To The  
NEW WINDSOR PLANNING BOARD

MLM

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/07/2005

PAGE: 1

LISTING OF PLANNING BOARD **FEES**  
**APPROVAL**

FOR PROJECT NUMBER: 3-8  
NAME: STELLA WAY SUBDIVISION PA  
APPLICANT: CHERRY VALLEY

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/07/2005	APPROVAL FEE	CHG	365.00		
			-----	-----	-----
		TOTAL:	365.00	0.00	365.00

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/07/2005

PAGE: 1

LISTING OF PLANNING BOARD **FEES**  
**ESCROW**

FOR PROJECT NUMBER: 3-8

NAME: STELLA WAY SUBDIVISION PA

APPLICANT: CHERRY VALLEY

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
03/24/2003	REC. CK. #1462	PAID		450.00	
03/26/2003	P.B. ATTY. FEE	CHG	35.00		
03/26/2003	P.B. MINUTES	CHG	31.50		
06/11/2003	P.B. ATTY. FEE	CHG	35.00		
06/11/2003	P.B. MINUTES	CHG	45.00		
07/03/2003	POSTAGE	CHG	2.49		
08/11/2004	P.B. MINUTES	CHG	16.50		
08/11/2004	P.B. ATTY. FEE	CHG	35.00		
03/09/2005	P.B. ATTY.FEE	CHG	35.00		
03/09/2005	P.B. MINUTES	CHG	16.50		
06/07/2005	P.B. ENGINEER FEE	CHG	1577.30		
		TOTAL:	1829.29	450.00	1379.29



PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/07/2005

PAGE: 1

LISTING OF PLANNING BOARD **FEES**  
**RECREATION**

FOR PROJECT NUMBER: 3-8  
NAME: STELLA WAY SUBDIVISION PA  
APPLICANT: CHERRY VALLEY

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/07/2005	2 LOTS	CHG	4000.00		
			-----	-----	-----
		TOTAL:	4000.00	0.00	4000.00

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/07/2005

PAGE: 1

LISTING OF PLANNING BOARD **FEES**  
**4% FEE**

FOR PROJECT NUMBER: 3-8  
NAME: STELLA WAY SUBDIVISION PA  
APPLICANT: CHERRY VALLEY

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/07/2005	4% OF 23,150. PUB IMP.	CHG	926.00		
06/07/2005	2% OF 139,965. PRIV IMP.	CHG	2799.30		
			-----	-----	-----
		TOTAL:	3725.30	0.00	3725.30

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/07/2005

PAGE: 1

LISTING OF PLANNING BOARD **FEES**  
**PERFORMANCE BND**

FOR PROJECT NUMBER: 3-8  
NAME: STELLA WAY SUBDIVISION PA  
APPLICANT: CHERRY VALLEY

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/07/2005	PUBL IMP	CHG	23150.00		
06/07/2008	PRIVATE IMP.	CHG	139965.00		
			-----	-----	-----
		TOTAL:	163115.00	0.00	163115.00



**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

RICHARD D. MCGOEY, P.E. (NY & PA)

WILLIAM J. HAUSER, P.E. (NY & NJ)

MARK J. EDSALL, P.E. (NY, NJ & PA)

JAMES M. FARR, P.E. (NY & PA)

**MAIN OFFICE**

33 AIRPORT CENTER DRIVE

SUITE 202

NEW WINDSOR, NEW YORK 12553

(845) 567-3100

FAX: (845) 567-3232

E-MAIL: MHENRY@MHEPC.COM

WRITER'S E-MAIL ADDRESS:

MJE@MHEPC.COM

**MEMORANDUM**

(via fax)

15 April 2005

**TO: MYRA MASON, PLANNING BOARD SECRETARY**

**FROM: MARK J. EDSALL, P.E., PLANNING BOARD ENGINEER**

**SUBJECT: STELLA'S WAY SUBDIVISION**  
**PLANNING BOARD APPLICATION NO. 03-08**

We have reviewed the cost estimate in connection with the subject project. The project involves both private improvements (private road and drainage) and public improvements (sewer).

We recommend estimates as follows:

PRIVATE IMPROVEMENTS:	\$ 139,965	= 2799.30
PUBLIC IMPROVEMENTS:	\$ 23,150	926.00

Appropriate inspection fee percentages should be applied to each for determination of inspection fees.

Our final time printout is attached. Please advise if you need anything further.

NW03-06-Closure-04-15-05

MJE/ta

**REGIONAL OFFICES**

• 507 BROAD STREET • MILFORD, PENNSYLVANIA 18337 • 570-296-2765 •  
• 540 BROADWAY • MONTICELLO, NEW YORK 12701 • 845-794-3399 •

03-08

**Stella's Way Subdivision**  
**Town of New Windsor**  
**Private Improvement Bond Estimate**

Qty	Description	Unit	Unit Price	Total
<b>Roadway Improvements</b>				
1	Clear & grub, brush, including stumps	Acre	\$6,460.00	\$6,460
1,820	Fine grade, grade subgrade for base course, roadways	S.Y.	\$0.50	\$910
1,500	Backfill, structural, common earth	C.Y.	\$1.30	\$1,950
3,800	Borrow, bank measure, common earth	C.Y.	\$13.10	\$49,780
1,500	Compaction	C.Y.	\$2.80	\$4,200
900	Erosion control, silt fence	L.F.	\$1.00	\$900
1,820	Base course, crushed 1-1/2" stone base, comp to 8" deep	S.Y.	\$9.60	\$17,472
1,820	Asphaltic conc pavement, wearing course, 2" thick	S.Y.	\$5.00	\$9,100
950	Curb, conc, wood forms, 6" x 16", straight	L.F.	<del>\$2.40</del> 11.00	<del>\$2,000</del> 10,450
11	Spread conditioned topsoil, 6" deep	M.S.F.	\$496.00	\$5,456
11	Seeding, bluegrass	M.S.F.	\$63.80	\$702
2	Concrete Monuments	EA	\$150.00	\$300
1	Roadway Record Drawing	LS	\$3,460.00	\$3,460
1	Street Signs (Traffic Control)	EA	\$150.00	\$150
1	Street ID Signs	EA	\$180.00	\$180
<b>Drainage Improvements</b>				
4	Catch basins or manholes, curb inlet, large 24"x36" heavy dty	Ea.	\$1,200.00	\$4,800
60	Piping, drain/sewage, corr HDPE, 12" diam	L.F.	<del>\$10.50</del> 15	<del>\$630</del> 900
350	Piping, drain/sewage, corr HDPE, 18" diam	L.F.	<del>\$16.70</del> 25	<del>\$5,845</del> 8,750
2	CB or manholes, conc, cast in place, 4' x 4', 8" thick, 8' deep	Ea.	\$2,760.00	\$5,520
2	CB or manholes, concrete, cast in place, 4' x 4', 8" thick, 8' deep	Ea.	\$4,090.00	\$8,180
50	Drainage Channel	LF	\$6.90	\$345
<b>Sanitary Sewer</b>				
150	Piping, sewage, PVC, SDR 35, 6" diam	L.F.	<del>\$6.90</del> 20	<del>\$1,035</del> 3,000
490	Piping, sewage, PVC, SDR 35, 8" diam	L.F.	<del>\$9.00</del> 25	<del>\$4,410</del> 12,250
3	CB or manholes, conc, precast, 4' ID, 8' deep	Ea.	\$1,800.00	\$5,400
1	CB or manholes, conc, precast, 4' ID, 11' deep	Ea.	\$2,500.00	\$2,500
<b>Totals</b>				<b>\$147,671</b>

\$163,115

FD 5/12/5

SEWER TOTAL 23,150  
 P/R TOTAL 139,965

AS OF: 04/15/2005

PAGE: 1

## CHRONOLOGICAL JCB STATUS REPORT

JOB: 8/-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 3- 8

FOR WORK DONE PRIOR TO: 04/15/2005

									-----DOLLARS-----			
TASK-NO	REC	--DATE--	TRAN	EMPL	ACT	DESCRIPTION-----	RATE	HRS.	TIME	EXP.	BILLED	BALANCE
.....												
3-8	201637	03/05/03	TIME	MJE	WS	SCHIAVONE RD 3-LO1	95.00	0.40	38.00			
3-8	203400	03/26/03	TIME	MJE	MC	STELLA CHERRY VALLY	95.00	0.50	47.50			
3-8	203818	04/03/03	TIME	MJE	MC	TC/GASS RE SITE DIST	95.00	0.30	28.50			
3-8	204748	04/07/03	TIME	MJE	MC	CHERRY VALLEY COORD	95.00	0.40	38.00			
3-8	204780	04/09/03	TIME	MJE	MC	CHERRY VALLEY W/ADON	95.00	0.30	28.50			
3-8	205189	04/15/03	TIME	MJE	MC	TC/ADONI RE CHFM VI.Y	95.00	0.20	19.00			
3-8	205190	04/15/03	TIME	MJE	MC	TC/ADONI RE SMR USE	95.00	0.20	19.00			
3-8	205195	04/16/03	TIME	MJE	FI	SITE REV W/KROI.I	95.00	1.70	161.50			
3-8	206371	05/07/03	TIME	MJE	WS	STELLA SUB	95.00	0.40	38.00			
									418.00			
3-8	207334	05/22/03				BILL 03-631					-418.00	
												-418.00
3-8	209203	06/10/03	TIME	MJE	MC	STELLA W/MM	95.00	0.30	28.50			
3-8	209204	06/10/03	TIME	MJE	MC	STELLA SUB	95.00	0.80	76.00			
3-8	209838	06/19/03	TIME	MJE	MC	STELLA L/A COORD	95.00	0.50	47.50			
									152.00			
3-8	211845	07/23/03				BILL 03-899					-152.00	
												-152.00
3-8	214381	08/22/03	TIME	MJE	FI	STELLA WAY RVW DRAIN	95.00	1.00	95.00			
3-8	214382	08/22/03	TIME	MJE	MC	TC/GASS DIST STELLA	95.00	0.20	19.00			
3-8	214869	08/26/03	TIME	MJE	MC	STELLA SUB	95.00	0.50	47.50			
3-8	215201	09/03/03	TIME	MJE	WS	STELLA WAY	95.00	0.40	38.00			
3-8	215688	09/08/03	TIME	MJE	MC	TC/GASS RE CHERRY VL	95.00	0.30	28.50			
3-8	216259	09/16/03	TIME	MJE	MC	TC/K GASS RE APP	95.00	0.30	28.50			
3-8	217084	09/22/03	TIME	MJE	MC	KEN GASS RE PROJECT	95.00	0.40	38.00			
									294.50			
3-8	216985	10/01/03				BILL 03-1187					-256.50	
3-8	224509	12/30/03				BILL 03-1595					-38.00	
3-8	246831	07/30/04				BILL 04-952 8/31/04					-99.00	
												-393.50
3-8	244598	08/04/04	TIME	MJE	WS	CHERRY VALLEY	99.00	0.40	39.60			
3-8	244603	08/05/04	TIME	MJE	MC	STELLA WAY SUB	99.00	0.60	59.40			
3-8	249733	09/22/04	TIME	MJE	MC	STELLA WAY	99.00	0.50	49.50			

AS OF: 04/15/2005

PAGE: 2

## CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CITY: NEWMIN - TOWN OF NEW WINDSOR

TASK: 3- 8

FOR WORK DONE PRIOR TO: 04/15/2005

TASK-NO	REC	--DATE--	TRAN	EMPL	ACT DESCRIPTION-----	RATE	HRS.	-----DOLLARS-----			
								TIME	EXP.	BILLED	BALANCE
3-8	252393	10/21/04	TIME	BMM	MR SANITARY REVIEW	99.00	1.00	99.00			
3-8	252810	10/21/04	TIME	MJE	MC LTR TO MJS RE SEWER	99.00	0.40	39.60			
3-8	258068	12/13/04	TIME	BMM	MR FINAL RVW	99.00	0.50	49.50			
3-8	258055	12/22/04	TIME	MJE	MC RVW STELLA W/MM	99.00	0.30	29.70			
								366.30			
3-8	256000	12/06/04			BILL 04-1341						-188.10
											-188.10
3-8	260878	01/04/05	TIME	MJE	MC STELLA WAY SWR APP	99.00	1.00	99.00			
								99.00			
3-8	265956	02/28/05			BILL 05-343						-178.20
											-178.20
3-8	266673	03/02/05	TIME	MJE	WS STELLA WAY SUB	99.00	0.40	39.60			
3-8	267841	03/08/05	TIME	MJE	MC STELLA WAY	99.00	0.80	79.20			
3-8	267214	03/09/05	TIME	MJE	MM Stella Cond APPL	99.00	0.10	9.90			
3-8	267845	03/09/05	TIME	MJE	MC STELLA WAY	99.00	0.20	19.80			
								148.50			
3-8	268867	03/18/05			BILL 05-423						-148.50
											-148.50
3-8	271926	04/12/05	TIME	BMM	MC Bond Est Review	99.00	0.50	49.50			
3-8	271920	04/15/05	TIME	MJE	MC Stella Closeout	99.00	0.50	49.50			
					TASK TOTAL			1577.30	0.00		-1478.30
											99.00
					GRAND TOTAL			1577.30	0.00		-1478.30
											99.00

TOTAL P.06



**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)

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JAMES M. FARR, P.E. (NY & PA)

**MAIN OFFICE**

33 AIRPORT CENTER DRIVE  
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NEW WINDSOR, NEW YORK 12553

(845) 567-3100

FAX: (845) 567-3232

E-MAIL: MHEHY@MHEPC.COM

WRITER'S E-MAIL ADDRESS:

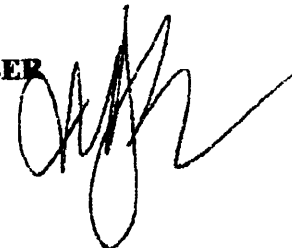
NJE@MHEPC.COM

**MEMORANDUM**

(via fax)

15 April 2005

**TO: MYRA MASON, PLANNING BOARD SECRETARY**  
**FROM: MARK J. EDSALL, P.E., PLANNING BOARD ENGINEER**  
**SUBJECT: STELLA'S WAY SUBDIVISION**  
**PLANNING BOARD APPLICATION NO. 03-08**



This memo is provided as an update to our memo to you dated 4-15-05.

With regard to the private improvements for the project, in connection with the private road, the developer has partially completed work on the project. Our office has completed an evaluation, and based on our review, we recommend that the **CURRENT PRIVATE IMPROVEMENT BOND AMOUNT BE SET AT \$ 56,087.**

Please contact us if you have any question regarding the above.

cc: Michael Babcock, Town Building Inspector.

NW03-08-Private Bond Red Rec 02-09-06.doc  
MJE/m

\$ 56,087.00

**REGIONAL OFFICES**

• 507 BROAD STREET • MILFORD, PENNSYLVANIA 18337 • 570-296-2765 •  
• 540 BROADWAY • MONTICELLO, NEW YORK 12701 • 845-794-3999 •



Private Improvement Bid Estimate - 2005-03-31 (last revised 2/1/06)

Stella's Way Subdivision (040102)

Town of New Windsor, Orange County, NY

Qty	Description	Unit	Unit Price	Total	Notes
<b>Roadway Improvements</b>					
	Clear & grub, brush, including stumps	Acre	\$6,460.00		0 Complete
	Fine grade, grade subgrade for base course, roadways	SY	\$0.50		0 Complete
	Backfill, structural, common earth	CY	\$1.30		0 Complete
	Borrow, bank measure, common earth	CY	\$13.10		0 Complete
	Compaction	CY	\$2.80		0 Complete
900	Erosion control, silt fence	L.F.	\$1.00	\$900	
0.5	Erosion & sediment control	L.S.	\$2,200.00	\$1,100	
1.0	Sediment basin & pipe spillway	L.S.	\$4,000.00	\$4,000	
1,820	Binder course, crushed 1-1/2" stone base, comp to 8" deep	S.Y.	\$9.60	\$17,472	
1,820	Asphaltic conc pavement, wearing course, 2" thick	S.Y.	\$5.00	\$9,100	
60	Replace asphalt patch w/ wearing course, 2" thick	S.Y.	\$6.00	\$360	
950	Curb, conc, wood forms, 6" x 18", straight	L.F.	\$8.40	\$7,980	
11	Spread conditioned topsoil, 6" deep	M.S.F.	\$496.00	\$5,456	
11	Seeding, bluegrass	M.S.F.	\$63.80	\$702	
2	Concrete Monuments	EA	\$150.00	\$300	
1	Roadway Record Drawing	LS	\$3,460.00	\$3,460	
1	Street Signs (Traffic Control)	EA	\$150.00	\$150	
1	Street ID Signs	EA	\$180.00	\$180	
<b>Drainage Improvements</b>					
	Catch basins or manholes, curb inlet, large				
0.8	24"x36" heavy duty	Ea	\$1,200.00	\$960	20% withheld
	Piping, drain/sewage, corr HDPE, 12" diam	LF	\$10.60	\$0	Complete
	Piping, drain/sewage, corr HDPE, 18" diam	LF	\$16.70	\$0	Complete
	CB or manholes, concrete, cast in place, 4'x4'				
0.4	8" thick, 6' deep	Ea	\$2,760.00	\$1,104	20% withheld
	CB or manholes, concrete, cast in place, 4'x4'				
0.4	8" thick, 8' deep	Ea	\$4,090.00	\$1,636	20% withheld
50	Drainage Channel	LF	\$6.90	\$345	
<b>Sanitary Sewer</b>					
7.5	Piping, sewage, PVC, SDR 35, 6" diam	LF	\$6.90	\$52	5% withheld
24.5	Piping, sewage, PVC, SDR 35, 8" diam	LF	\$9.00	\$221	5% withheld
0.2	CB or manholes, conc, precast, 4' ID, 8' deep	Ea	\$1,800.00	\$360	5% withheld
0.1	CB or manholes, conc, precast, 4' ID, 11' deep	Ea	\$2,500.00	\$250	5% withheld
<b>Totals</b>				<b>\$56,087</b>	



03-08  
Stella's Way  
cc: M.E.  
orig. - M. Blythe

Two Jericho Plaza, Wing C, Jericho, New York 11753 • 516.465.2300 • Fax: 516.465.6701

February 17, 2006

IRREVOCABLE LETTER OF CREDIT NO. 1543

EXPIRATION DATE: February 28, 2007 (subject to automatic extension as set forth below)

Town of New Windsor  
555 Union Avenue  
New Windsor, New York 12553

Re: Cherry Valley Builders, Inc

Gentlemen:

We hereby establish our Irrevocable Letter of Credit No. 1543, hereinafter referred to as this "L/C", in favor of Town of New Windsor, its successors and/or assigns (hereinafter referred to as "Beneficiary"), at the request of Cherry Valley Builders, Inc. (hereinafter referred to as "Applicant"), in an amount not to exceed in the aggregate Fifty-six thousand eighty seven and 00/100 (\$56,087.00) U.S. Dollars.

Funds are available by your draft on us at sight, duly endorsed on the reverse side thereof and accompanied by the following documents:

1. This original L/C and any amendments thereto; and
2. A statement signed by a purported officer/representative of Beneficiary which reads:

"We hereby certify that Applicant has failed to complete the roadway known as Stella's Way; drainage and sanitary sewer work related to the subdivision of Section 57, Block 1, Lot 52 and Section 57, Block 1, Lot 60, Town of New Windsor, Orange County, NY."

It is a condition of this L/C that it shall be extended automatically without amendment for additional one (1) year periods from the present expiration date of February 28, 2007 and from each and every future expiration date hereof unless thirty (30) days prior to the then current expiration date, we shall notify you in writing by certified mail, return receipt requested, at the above address (or at such other address as you shall direct by notice to us at 2 Jericho Plaza, Wing C, Jericho, NY 11753 by certified mail, return receipt requested), that we elect not to renew this L/C for said additional period.

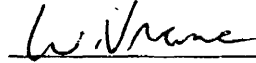
Each draft must bear upon its face the clause "Drawn under State Bank of Long Island Irrevocable Letter of Credit No. 1543 dated February 17, 2006".

We hereby agree that draft(s) drawn under and in compliance with the terms of this L/C will be duly honored upon presentation and delivery of documents as specified above, if presented at our office located at 2 Jericho Plaza, Wing C, Jericho, New York 11753 on or before 2:00PM EST of the expiration date noted above or any extended date.

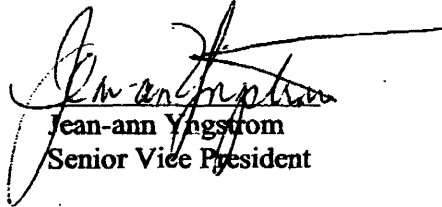
The request for payment under this L/C shall be final and conclusive for all purposes without verification by State Bank of Long Island and shall not be subject to refutation, denial or contest.

This L/C is subject to the International Standby Practices 1998, International Chamber of Commerce, Publication No. 590 ("ISP98"), and as to matters not addressed by ISP98 is subject to and governed by New York State and applicable U.S. federal law.

Very truly yours,



William Vrana  
Vice President



Jean-ann Yngstrom  
Senior Vice President

**New York State Department of Environmental Conservation**

**Division of Water, Region 3**

200 White Plains Road – 5th Floor, Tarrytown, New York 10591-5805

**Phone:** (914) 332-1835 • **FAX:** (914) 332-4670

**Website:** [www.dec.state.ny.us](http://www.dec.state.ny.us)



Erin M. Crotty  
Commissioner

March 3, 2005

James Clearwater, PLS, Project Manager  
MJS Engineering  
261 Greenwich Avenue  
Goshen, NY 10924

RE: Stella's Way Stormwater Pollution Prevention Plan  
Town of New Windsor  
SPDES General Permit for Construction Activity, GP-02-01

Dear Mr. Cleverley:

This Department has reviewed the Stormwater Pollution Prevention Plan, (dated February 2005) for the above referenced project. The Stormwater Pollution Prevention Plan satisfies the requirements of the SPDES General Permit for Stormwater Discharges from Construction Activity (GP-02-01).

If you have any questions, I can be reached at the above phone number, extension 354.

Sincerely,

*Natalie Browne*  
Natalie Browne  
Environmental Program Specialist

*Myra,  
For your file*

*NEW WINDSOR #03-08*

*JE*

*Rec. 3.4.05*



McGOEY, HAUSER and EDSALL

CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E. (NY & PA)

WILLIAM J. HAUSER, P.E. (NY & NJ)

MARK J. EDSALL, P.E. (NY, NJ & PA)

JAMES M. FARR, P.E. (NY & PA)

☐ Main Office

33 Airport Center Drive

Suite #202

New Windsor, New York 12553

(845) 567-3100

e-mail: mhenry@mhepc.com

☐ Regional Office

507 Broad Street

Milford, Pennsylvania 18337

(570) 296-2765

e-mail: mhepa@mhepc.com

Writer's E-mail Address:

mje@mhepc.com

**PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE**

TOWN/ VILLAGE OF:

New Windsor

P/B APP. NO.:

03 - 08

WORK SESSION DATE:

2 March 2005

PROJECT: NEW

OLD ☒

REAPPEARANCE AT W/S REQUESTED:

NO

RESUB. REQ'D:

Yes.

PROJECT NAME:

Stella's Way

REPRESENTATIVES PRESENT:

T. J. Clearwater

MUNICIPAL REPS PRESENT:

BLDG INSP.  
ENGINEER  
P/B CHMN

☒

FIRE INSP.  
PLANNER  
OTHER

ITEMS DISCUSSED:

Sch. a vane load

- DEC App'l rec'd. (see att letter)
- need to finalize sewer easement
- MM P/R app't - ck 7 mm re if Kriger wrote att or if PAC is now involved
- MM ck if description OKed
- P/R bond + sur bond anti spam req
- MM want final app'l ASAP.
- want to start work

STND CHECKLIST:

DRAINAGE

DUMPSTER

SCREENING

LIGHTING

(Streetlights)

LANDSCAPING

BLACKTOP

ROADWAYS

PROJECT  
TYPE

SITE PLAN

SPEC PERMIT

L L CHG.

SUBDIVISION

OTHER

APPROVAL BOX

PROJECT STATUS:

ZBA Referral:

☐ Y ☐ N

Ready For Meeting

☒ Y ☐ N

Recommended Mtg Date

Next avail  
3/9 ? for Cond Final

**MJS ENGINEERING**  
CIVIL/ENVIRONMENTAL

---

MJS Engineering, PC  
261 Greenwich Avenue  
Goshen, NY 10924  
(845) 291-8650 Fax (845) 291-8657

040102

3 March 2005

Town of New Windsor Planning Board  
Attn: Ms. Myra Mason, Secretary  
555 Union Avenue  
New Windsor, NY 12553

RE: Cherry Valley Builders, Inc.  
Stella's Way

Dear Ms. Mason:

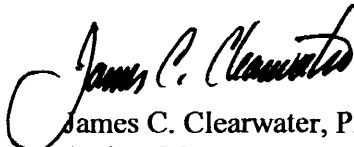
Enclosed are ten sets of prints for the Stella's Way Subdivision. The plan received sewer main extension approval from the NYSDEC last month and a copy of their approval letter is enclosed. A Bond Estimate has been prepared at the request of Mr. Mark Edsall and it also is enclosed.

I have been advised by the applicant, Mr. Kenneth Gass, that the Road Maintenance Agreement has been finalized and was approved by Mr. Andrew Krieger, the former Planning Board Attorney.

Please place this application on the Planning Board's agenda for discussion of a conditioned final approval.

If you have any questions or need additional information, please do not hesitate to contact the undersigned.

Very truly yours,  
**MJS Engineering, PC**

  
James C. Clearwater, PLS  
Project Manager

JCC/gl  
Enc.

cc: K. Gass

**MJS** ENGINEERING &  
LAND SURVEYING, PC

---

**MJS Engineering &  
Land Surveying, PC**  
261 Greenwich Ave.  
Goshen, NY 10924  
Office: 845-291-8650  
Fax: 845-291-8657

040102

23 January 2006

Kenneth Gass  
Cherry Valley Builders  
110 Cherry Valley Avenue  
West Hempstead, NY 11552

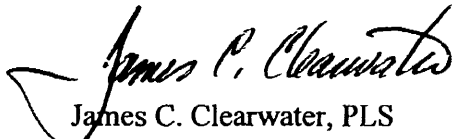
RE: Stella's Way — Town of New Windsor

Dear Mr. Gass:

Enclosed is a Bond Estimate for the outstanding items remaining on the Stella's Way road construction.

If you have any questions, please do not hesitate to contact me.

Very truly yours,  
**MJS Engineering & Land Surveying, PC**

  
James C. Clearwater, PLS  
Project Manager

JCC/gl  
Enc.

cc: M. Edsall, P.E.

**STELLA'S WAY SUBDIVISION (040102)**  
**TOWN OF NEW WINDSOR, ORANGE COUNTY, NY**  
**PUBLIC IMPROVEMENT BOND UNIT PRICES**  
**JANUARY 18, 2006**

<u>DESCRIPTION</u>	<u>UNIT</u>	<u>UNIT COST</u>	<u>QTY</u>	<u>TOTAL COST</u>
<b><u>Roadway</u></b>				
Clear & Grade Road ROW	SF	\$0.80		\$0.00
Clear & Grade Road ROW	LF	\$17.00		\$0.00
Erosion Control (vary w/conditions)	AC	\$2,200.00		\$0.00
Roadway Subbase	CY	\$37.00		\$0.00
Roadway Subbase (8" course)	SY	\$8.25		\$0.00
Roadway Subbase (12" course)	SY	\$12.50		\$0.00
Roadway Subbase (15" course)	SY	\$15.50		\$0.00
Asphalt Pavement	Ton	\$75.00		\$0.00
Asphalt Pavement (1.5" top)	SY	\$7.00		\$0.00
Asphalt Pavement (2" top)	SY	\$8.50		\$0.00
Asphalt Pavement (3" thick)	SY	\$12.50		\$0.00
Asphalt Pavement (3.5" thick)	SY	\$14.50		\$0.00
Asphalt Pavement (4" thick)	SY	\$16.00		\$0.00
Asphalt Pavement (5" thick)	SY	\$19.00		\$0.00
				\$0.00
Tack Coat	SY	\$0.45		\$0.00
Double Surface Treatment	SY	\$6.50	1816	\$11,804.00
Roadway ROW Topsoil (6") & Seeding	SY	\$13.00	1631	\$21,203.00
Roadway ROW Topsoil & Seeding	LF	\$35.00		\$0.00
Concrete Monuments	EA	\$130.00	8	\$1,040.00
Roadway As-builts ROW	LF	\$1.00	425	\$425.00
Street Signs (Traffic Control)	EA	\$130.00	1	\$130.00
Street ID Sign	EA	\$155.00	1	\$155.00
Concrete Curbing	LF	\$28.00	942	\$26,376.00
Concrete Sidewalk	SY	\$65.00		\$0.00
Concrete Sidewalk (4' wide)	LF	\$21.00		\$0.00
Concrete Sidewalk (5' wide)	LF	\$26.00		\$0.00
Street Trees (2.5 caliper)	EA	\$400.00		\$0.00
Street Trees w/frame & grate (2.5 caliper)	EA	\$1,000.00		\$0.00
Street Lights (std. Luminair, U/G feed)	EA	\$7,000.00		\$0.00
Guide Rail (W-Beam)	LF	\$25.00		\$0.00
Guide Rail (Box Beam single rail)	LF	\$46.00		\$0.00
End Section (W-Beam)	EA	\$830.00		\$0.00
End Section (Box Beam Type 1,9' Taper)	EA	\$600.00		\$0.00
End Section (Box Beam Type 2,18' Taper)	EA	\$1,000.00		\$0.00



<u>DESCRIPTION</u>	<u>UNIT</u>	<u>UNIT COST</u>	<u>QTY</u>
<b><u>Drainage</u></b>	EA	\$2,600.00	\$0.00
Stormwater Catch Basin	EA	\$2,600.00	\$0.00
Stormwater Manhole	EA	\$3,600.00	\$0.00
Connection to Existing Catch Basin	LF	\$1,000.00	\$0.00
Stormwater Pipe (CMP - 15" coated)	LF	\$47.00	\$0.00
Stormwater Pipe (CMP - 18" coated)	LF	\$53.00	\$0.00
Stormwater Pipe (CMP - 24" coated)	LF	\$62.00	\$0.00
Stormwater Pipe (CMP - 30" coated)	LF	\$70.00	\$0.00
Stormwater Pipe (CMP - 36" coated)	LF	\$77.00	\$0.00
Stormwater Pipe (CMP - 48" coated)	LF	\$93.00	\$0.00
End Section (CMP coated)	EA	\$450.00	\$0.00
Stormwater Pipe (HDPE - 15")	LF	\$62.00	\$0.00
Stormwater Pipe (HDPE - 18")	LF	\$64.00	\$0.00
Stormwater Pipe (HDPE - 24")	LF	\$72.00	\$0.00
Stormwater Pipe (HDPE - 30")	LF	\$85.00	\$0.00
Stormwater Pipe (HDPE - 36")	LF	\$90.00	\$0.00
End Section (HDPE)	EA	\$600.00	\$0.00
Concrete Headwall	EA	\$6,100.00	\$0.00
Rip Rap Drainage Channel	SY	\$62.00	\$0.00
Non-lined Drainage Channel	SY	\$11.00	\$0.00
Perforated Pipe/Stone Underdrain	LF	\$11.00	\$0.00
<b><u>Water</u></b>			
Watermain (DI - 8")	LF	\$75.00	\$0.00
Gate Valve (8")	EA	\$1,500.00	\$0.00
Tapping Sleeve and Valve (8")	EA	\$4,200.00	\$0.00
Watermain (DI - 12")	LF	\$85.00	\$0.00
Gate Valve (12")	EA	\$2,300.00	\$0.00
Tapping Sleeve and Valve (12")	EA	\$5,600.00	\$0.00
Hydrant Assembly	EA	\$3,300.00	\$0.00
House Services (w/out licensed plumber)	EA	\$1,350.00	\$0.00
Air Relief Valve & Vault	EA	\$3,100.00	\$0.00
Pressure Reducing Valve & Vault	EA	\$10,300.00	\$0.00
<b><u>Sewer</u></b>			
Sewer Main (PVC - 8")	LF	\$65.00	\$0.00
Sewer Main (PVC - 12")	LF	\$82.00	\$0.00
Sewer Main Manholes	EA	\$3,300.00	\$0.00
Doghouse Sewer Manhole	EA	\$5,600.00	\$0.00
House Lateral (w/out licensed plumber)	EA	\$1,250.00	3 \$3,750.00
			<hr/> \$61,133.00

Stella's Way Subdivision  
 Town of New Windsor  
 Private Improvement Bond Estimate

Qty	Description	Unit	Unit Price	Total
<b>Roadway Improvements</b>				
1	Clear & grub, brush, including stumps	Acre	\$6,460.00	\$6,460
1,820	Fine grade, grade subgrade for base course, roadways	S.Y.	\$0.50	\$910
1,500	Backfill, structural, common earth	C.Y.	\$1.30	\$1,950
3,800	Borrow, bank measure, common earth	C.Y.	\$13.10	\$49,780
1,500	Compaction	C.Y.	\$2.80	\$4,200
900	Erosion control, silt fence	L.F.	\$1.00	\$900
1,820	Base course, crushed 1-1/2" stone base, comp to 8" deep	S.Y.	\$9.60	\$17,472
1,820	Asphaltic conc pavement, wearing course, 2" thick	S.Y.	\$5.00	\$9,100
950	Curb. conc, wood forms, 6" x 18", straight	L.F.	\$8.40	\$7,980
11	Spread conditioned topsoil, 6" deep	M.S.F.	\$496.00	\$5,456
11	Seeding, bluegrass	M.S.F.	\$63.80	\$702
2	Concrete Monuments	EA	\$150.00	\$300
1	Roadway Record Drawing	LS	\$3,460.00	\$3,460
1	Street Signs (Traffic Control)	EA	\$150.00	\$150
1	Street ID Signs	EA	\$180.00	\$180
<b>Drainage Improvements</b>				
4	Catch basins or manholes, curb inlet, large 24"x36" heavy duty	Ea.	\$1,200.00	\$4,800
60	Piping, drain/sewage, corr HDPE, 12" diam	L.F.	\$10.60	\$636
350	Piping, drain/sewage, corr HDPE, 18" diam	L.F.	\$16.70	\$5,845
2	CB or manholes, conc, cast in place, 4' x 4', 8" thick, 6' deep	Ea.	\$2,760.00	\$5,520
2	CB or manholes, concrete, cast in place, 4' x 4', 8" thick, 8' deep	Ea.	\$4,090.00	\$8,180
50	Drainage Channel	LF	\$6.90	\$345
<b>Sanitary Sewer</b>				
150	Piping, sewage, PVC, SDR 35, 6" diam	L.F.	\$6.90	\$1,035
490	Piping, sewage, PVC, SDR 35, 8" diam	L.F.	\$9.00	\$4,410
3	CB or manholes, conc, precast, 4' ID, 8' deep	Ea.	\$1,800.00	\$5,400
1	CB or manholes, conc, precast, 4' ID, 11' deep	Ea.	\$2,500.00	\$2,500
<b>Totals</b>				<b>\$147,671</b>

# TOWN OF NEW WINDSOR

## MINOR SUBDIVISION FEE SCHEDULE

APPLICATION FEE: \$ 75.00

### ESCROW:

#### RESIDENTIAL:

\_\_\_\_\_ LOTS @ \$200.00 EACH LOT (FIRST FOUR LOTS) \$ \_\_\_\_\_

\_\_\_\_\_ LOTS @ \$100.00 EACH LOT OVER FOUR LOTS \$ \_\_\_\_\_

#### COMMERCIAL:

\_\_\_\_\_ LOTS @ \$500.00 EACH LOT (FIRST FOUR LOTS) \$ \_\_\_\_\_

\_\_\_\_\_ LOTS @ \$200.00 EACH LOT OVER FOUR LOTS \$ \_\_\_\_\_

TOTAL ESCROW DUE: \$ \_\_\_\_\_

### APPROVAL FEES:

PRE-PRELIMINARY PLAT APPROVAL \$ 100.00

PRELIMINARY PLAT APPROVAL \$ 150.00

FINAL PLAT APPROVAL FEE (\$100.00 + \$5.00/LOT) \$ 115.00

FINAL PLAT SECTION FEE \$ 100.00

TOTAL APPROVAL FEES: \$ 365.00

### RECREATION FEES:

2 LOTS @ <sup>2000.00</sup>~~\$1,500.00~~/LOT \$ 4000.00

### TO BE DEDUCTED FROM ESCROW:

ESCROW POSTED: \$ \_\_\_\_\_

P.B. ENGINEER FEE \$ \_\_\_\_\_

P.B. ATTY. FEE \$ \_\_\_\_\_

MINUTES OF MEETING \$ \_\_\_\_\_

OTHER \$ \_\_\_\_\_

TOTAL DEDUCTION: \$ \_\_\_\_\_

REFUND: \$ \_\_\_\_\_

AMOUNT DUE: \$ \_\_\_\_\_

PERFORMANCE BOND AMOUNT \$ \_\_\_\_\_

### INSPECTION FEE:

2% PRIVATE IMPROVEMENTS \$ \_\_\_\_\_

4% PUBLIC IMPROVEMENTS \$ \_\_\_\_\_



**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

**RICHARD D. McGOEY, P.E. (NY & PA)**

**WILLIAM J. HAUSER, P.E. (NY & NJ)**

**MARK J. EDSALL, P.E. (NY, NJ & PA)**

**JAMES M. FARR, P.E. (NY & PA)**

**MAIN OFFICE**

**33 AIRPORT CENTER DRIVE**

**SUITE 202**

**NEW WINDSOR, NEW YORK 12553**

**(845) 567-3100**

**FAX: (845) 567-3232**

**E-MAIL: MHENY@MHEPC.COM**

**WRITER'S E-MAIL ADDRESS:**

**MJE@MHEPC.COM**

**TOWN OF NEW WINDSOR**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**PROJECT NAME:** STELLA WAY (CHERRY VALLEY) MINOR SUBDIVISION  
**PROJECT LOCATION:** SCHIAVONE ROAD  
SECTION 57 – BLOCK 1 – LOT 52 & 60  
**PROJECT NUMBER:** 03-08  
**DATE:** 22 SEPTEMBER 2004  
**DESCRIPTION:** THE APPLICATION PROPOSES THE SUBDIVISION OF TWO  
EXISTING PARCELS INTO THREE (3) SINGLE-FAMILY LOTS. THE  
PLAN WAS PREVIOUSLY REVIEWED AT THE 26 MARCH 2003,  
11 JUNE 2003, 27 AUGUST 2003 AND 11 AUGUST 2004 PLANNING  
BOARD MEETINGS.

1. At the August 2003 Planning Board meeting, I noted that all my previous requested corrections were made to the plans. Also, I reported to the Board regarding a field meeting with Henry Kroll, at which time we identified some specific requirements at the private road intersection with the town road. The plans comply with these requirements.

As a reminder, these revised plans eliminate the previously depicted retaining walls along the private road. Concrete curbs and asphalt pavement are intended for the roadway. Storm catch basins are still included.

2. Some remaining issues are as follows:
  - Some corrections appear necessary to the bulk table. Applicant's surveyor should check values for lot width (all lots), total side yard (lots #1 & #3), rear yard (lot #1), road frontage (lots #2 & #3).
  - The sewer reallocation must be completed and executed by the Town Supervisor, and the sewer line must be submitted to the NYSDEC and obtain their approval.
  - The sanitary line must be dedicated to the Town. As such, a sewer easement must be created, which could have the same limits as the private road right-of-way. The Town Attorney must approve the final sewer easement.

**REGIONAL OFFICES**

- 507 BROAD STREET • MILFORD, PENNSYLVANIA 18337 • 570-296-2765 •
- 540 BROADWAY • MONTICELLO, NEW YORK 12701 • 845-794-3399 •

- The applicant will be required to submit a Private Road Completion Bond per the requirements of Section A60-10(A)(8) of the Town Street Specifications. Prior to posting the bond, a cost estimate should be submitted for review and approval.
  - The applicant should submit a draft copy of the Private Road Maintenance Declaration, in recordable form, to the Planning Board Attorney for review.
  - The applicant should be directed to submit the Public Improvement Bond Estimate (sewer work) to the Town for review, and subsequent approval of the Town Board.
3. The Board took Lead Agency on 8-11-04. A public hearing was held on 6-11-03. I do not believe the plan has changed significantly to mandate a new public hearing. The Board should review this aspect and decide to agree or disagree on the record.
4. The Planning Board may wish to make a determination regarding the type action this project should be classified under SEQRA, and make a determination regarding environmental significance.

Respectfully Submitted,

  
Mark J. Edsall, P.E., P.P.  
Planning Board Engineer

NW03-08-22Sept04.doc

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 09/13/2005

PAGE: 1

LISTING OF PLANNING BOARD **FEES**  
**RECREATION**

FOR PROJECT NUMBER: 3-8  
NAME: STELLA WAY SUBDIVISION PA  
APPLICANT: CHERRY VALLEY

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/07/2005	2 LOTS	CHG	4000.00		
09/12/2005	REC. CK. #2088	PAID		4000.00	
		TOTAL:	4000.00	4000.00	0.00

*[Handwritten Signature]*  
9/13/05

PLANNING BOARD  
TOWN OF NEW WINDSOR

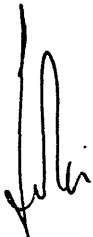
AS OF: 09/13/2005

PAGE: 1

LISTING OF PLANNING BOARD FEES  
4% FEE

FOR PROJECT NUMBER: 3-8  
NAME: STELLA WAY SUBDIVISION PA  
APPLICANT: CHERRY VALLEY

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/07/2005	4% OF 23,150. PUB IMP.	CHG	926.00		
06/07/2005	2% OF 139,965. PRIV IMP.	CHG	2799.30		
09/12/2005	REC. CK. #2090	PAID		2799.30	
09/12/2005	REC. CK. #2089	PAID		926.00	
		TOTAL:	3725.30	3725.30	0.00

  
9/13/05

PLANNING BOARD  
TOWN OF NEW WINDSOR


AS OF: 09/13/2005

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW

FOR PROJECT NUMBER: 3-8  
NAME: STELLA WAY SUBDIVISION PA  
APPLICANT: CHERRY VALLEY

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
03/24/2003	REC. CK. #1462	PAID		450.00	
03/26/2003	P.B. ATTY. FEE	CHG	35.00		
03/26/2003	P.B. MINUTES	CHG	31.50		
06/11/2003	P.B. ATTY. FEE	CHG	35.00		
06/11/2003	P.B. MINUTES	CHG	45.00		
07/03/2003	POSTAGE	CHG	2.49		
08/11/2004	P.B. MINUTES	CHG	16.50		
08/11/2004	P.B. ATTY. FEE	CHG	35.00		
03/09/2005	P.B. ATTY.FEE	CHG	35.00		
03/09/2005	P.B. MINUTES	CHG	16.50		
06/07/2005	P.B. ENGINEER FEE	CHG	1577.30		
09/12/2005	REC. CK. #2087	PAID		1379.29	
		TOTAL:	1829.29	1829.29	0.00

  
9/13/05



**Town of New Windsor**  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT**  
**#881-2005**

09/13/2005

Cherry Valley Builders *#P.B. 03-08*

Received \$ 365.00 for Planning Board Fees, on 09/13/2005. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green  
Town Clerk

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 09/13/2005

PAGE: 1

LISTING OF PLANNING BOARD **FEES**  
**APPROVAL**

FOR PROJECT NUMBER: 3-8  
NAME: STELLA WAY SUBDIVISION PA  
APPLICANT: CHERRY VALLEY

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/07/2005	APPROVAL FEE	CHG	365.00		
09/12/2005	REC. CK. #2086	PAID		365.00	
		TOTAL:	365.00	365.00	0.00

August 24, 2005

34

STELLA WAY (03-08) - REQUEST FOR TWO 90 DAY EXTENSIONS  
OF APPROVAL

MR. PETRO: Stella Way, a request for two 90 day extensions of approval. Dear Ms. Mason: Please place this project on the Planning Board agenda for two 90 day extensions of its final approval. If you have any questions, please do not hesitate to contact. And it's signed MJS Engineering and James Clearwater, PLS. Stella Way, where was that one?

MR. BABCOCK: Shiavone Road, Beaver Dam Lake, 3 lot.

MR. EDSALL: Ken Gass was the applicant.

MR. PETRO: Two 90 day extensions which is, they're entitled to?

MR. EDSALL: They're entitled, the expiration would then be 360 days from the date of the meeting at which time you granted approval.

MR. PETRO: Myra, you can set that up, doublecheck so we have the correct date. Motion to grant two 90 day extensions?

MR. SCHLESINGER: Make the motion to extend Stella Way's request for final approval for two 90 day extensions.

MR. MINUTA: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant two 90 day extensions of the final approval for Stella Way. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. SCHLESINGER     AYE

August 24, 2005

35

MR. MASON	AYE
MR. GALLAGHER	AYE
MR. MINUTA	AYE
MR. PETRO	AYE

REGULAR ITEMS:

STELLA'S WAY SUBDIVISION (03-08)

Mr. James Clearwater appeared before the board for this proposal.

MR. PETRO: Proposed 3 lot residential subdivision. The application proposes subdivision of two existing parcels into three single family lots. The plan was previously reviewed at the 26 March, 2003, 11 June, 2003 and 27 August, 2003 and 11 August, 2004 planning board meetings. You received approval from the New York State DOT and before the planning board to request conditional final approval. We only have two things to go over, confirm road name and 911 numbering, Town attorney must approve final sewer easement documents, sanitary line must be dedicated to the Town. What's changed on the map since the last time we've seen it, anything, Mr. Clearwater?

MR. CLEARWATER: One big thing is that we have our sewer main extension approval from the DEC, that is not necessarily reflected on the map, we received that last month, that was the main thing that was outstanding. The map itself we still made changes, some minor items Mr. Edsall pointed out, couple areas on the bulk table which we changed. Beyond that it remains the same.

MR. PETRO: Mark, we took lead agency?

MR. EDSALL: Yes, negative dec was on September 22, 2004 and I believe it's in a form ready for conditional final. As I said in my comment number one some of these may be done but I just want to make sure that Phil's written off on all these.

MR. PETRO: Mr. Clearwater, take a copy of Mark's comments as you just did, review them. Is there anything here Mark that cannot be done in conditional

approval, we can do conditional and you can work these out if they're not already done?

MR. EDSALL: Correct, I think it can be as conditional approval.

MR. PETRO: Fire inspector, what's he say there, Mike?

MR. BABCOCK: Mark, do you have both lead agency and negative dec?

MR. EDSALL: Yeah, they were done quite early on in the project.

MR. PETRO: We have public hearing.

MR. CLEARWATER: Oh, yeah.

MR. BABCOCK: I don't have anything here for the negative dec.

MR. EDSALL: I've got it down September 22, '04, we need to do that so we can move forward with the DEC, DEC won't act without a negative dec on record.

MR. BABCOCK: Fire approved on 3/24/03.

MR. PETRO: 9/13/2004 fire approval, so we have, Mr. Clearwater, we have fire approval.

MR. BABCOCK: We have highway approval.

MR. PETRO: All right, you have the comments here, I'm not going to read them all in, just be whatever Mark needs to clear it up, then I'll sign the plans. Okay, is there any other comment from the board members? Anything else they want to see? We've seen it so many times.

MR. MASON: Make a motion for final conditional

approval for the Stella Way subdivision.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion's been made and seconded that the New Windsor Planning Board grant final approval to Stella Way minor subdivision subject to Mark's comments being cleared up and then the plan will be stamped. Anything else from the board members? If not, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. GALLAGHER	AYE
MR. MASON	AYE
MR. MINUTA	AYE
MR. PETRO	AYE



**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

**RICHARD D. MCGOEY, P.E. (NY & PA)**

**WILLIAM J. HAUSER, P.E. (NY & NJ)**

**MARK J. EDSALL, P.E. (NY, NJ & PA)**

**JAMES M. FARR, P.E. (NY & PA)**

**MAIN OFFICE**  
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**NEW WINDSOR, NEW YORK 12553**

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**FAX: (845) 567-3232**  
**E-MAIL: MHENT@MHEPC.COM**

**WRITER'S E-MAIL ADDRESS:**  
**NJE@MHEPC.COM**

**TOWN OF NEW WINDSOR**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**PROJECT NAME:** STELLA WAY (CHERRY VALLEY) MINOR SUBDIVISION  
**PROJECT LOCATION:** SCHIAVONE ROAD  
SECTION 57 – BLOCK 1 – LOT 52 & 60  
**PROJECT NUMBER:** 03-08  
**DATE:** 9 MARCH 2005  
**DESCRIPTION:** THE APPLICATION PROPOSES THE SUBDIVISION OF TWO EXISTING PARCELS INTO THREE (3) SINGLE-FAMILY LOTS. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 26 MARCH 2003, 11 JUNE 2003, 27 AUGUST 2003 AND 11 AUGUST 2004 PLANNING BOARD MEETINGS.

1. The applicant has received approval from the NYSDEC, and is before the Board to request conditional final approval. I suggest the following conditions of approval (some of which may be done and need only be verified):
  - The sewer allocation must be executed by the Town Supervisor, and an Allocation Certificate issued by the Town Attorney's office.
  - The Town Attorney must approve the final sewer easement document (sanitary line must be dedicated to the Town).
  - Confirm road name and 911 numbering shown on plan have been accepted by the Fire Inspector's office.
  - The applicant will be required to submit a Private Road Completion Bond per the requirements of Section 252-27 (A) (8) of the Town Street Specifications. Prior to posting the bond, a cost estimate should be submitted for review and approval.

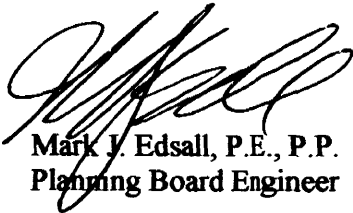
**REGIONAL OFFICES**

• 507 BROAD STREET • MILFORD, PENNSYLVANIA 18337 • 570-296-2765 •  
• 540 BROADWAY • MONTICELLO, NEW YORK 12701 • 845-794-3399 •



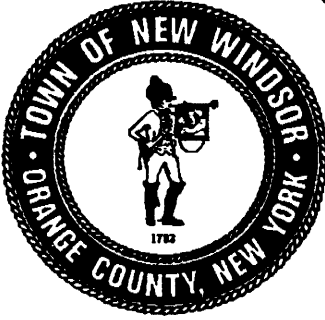
- The applicant should submit a draft copy of the Private Road Maintenance Declaration, in recordable form, to the Planning Board Attorney for review.
- The applicant should be directed to submit the Public Improvement Bond Estimate (sewer work) to the Town for review, and subsequent approval of the Town Board.
- Payment of all fees.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.  
Planning Board Engineer

NW03-08-09Mar05.doc



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4630  
Fax: (845) 563-4692

## Attorney for the Town

October 28, 2004

By Fax 638-6557

Phyllis E. Simon, Esq.  
25 Finch Road  
New City, NY 10956

Re: Stella Way Subdivision

Dear Ms. Simon:

I am advised that a representative from your client, Cherry Valley Builders, came to see the Town Supervisor yesterday concerning Stella Way Subdivision.

My records indicate that you wrote to me on August 12, 2003 and advised that you were going to complete the purchase of the sewer capacity rights and schedule the closing. The letter said you will notify me of the date in the future.

The instruments you sent with that letter as well as the check in the amount of \$100. are still in my file marked "hold until further notice".

The ball is still in your court. Among other things I am still unaware of the purchase of sewer capacity from Moodna/Majestic.

Very truly yours,

Philip A. Crotty  
Attorney for the Town of New Windsor

PAC:cmb

✓ Cc: George J. Meyers, Supervisor  
Mark Edsall, Engineer



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4693

## OFFICE OF THE PLANNING BOARD

### PROJECT REVIEW SHEET

RECEIVED

SEP 15 2004

N.W. HIGHWAY DEPT.

TO: **HIGHWAY DEPARTMENT**

P.B. FILE #03-08

DATE RECEIVED: 09-13-04

PLEASE RETURN COMPLETED FORM TO MYRA  
BY: 09-20-04 TO BE ON AGENDA FOR THE 09-22-04 PLANNING BOARD  
MEETING.

THE MAPS AND/OR PLANS FOR:

#### STELLA WAY

Applicant or Project Name

SITE PLAN \_\_\_\_\_, SUBDIVISION XXX, LOT LINE CHANGE \_\_\_\_\_,  
SPECIAL PERMIT \_\_\_\_\_

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

☒ **APPROVED:**

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ **DISAPPROVED:**

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: Danny J. Knoll 9/21/04  
Reviewed by date

REGULAR ITEMS:

STELLA WAY SUBDIVISION (03-08)

Mr. James Clearwater appeared before the board for this proposal.

MR. EPTRO: Stella Way subdivision. Proposed 3 lot residential subdivision. This application proposes subdivision of two existing parcels into 3 single family lots. The plan was previously reviewed at the 26 March, 2003, 11 June, 2003, 27 August, 2003, 11 August, 2004 planning board meetings. Who says we move things along too quick? What are you building over here? At the August, 2003 planning board meeting I noted that all my previously requested corrections were made. I also reported to the board we had a field meeting with Henry Kroll at which time we identified some specific requirements at the private road intersection with the Town road. The plans comply with these requirements. As a reminder, the revised plans eliminate the previously depicted retaining walls along the private road. Concrete curbs, asphalt pavement are intended for the roadway, storm catch basins are still included. Some remaining issues are as follows. Mark, why don't you go over those?

MR. EDSALL: They're just some minor corrections. The bulk table has some items that need to be fixed. I list those. I'm reminding the applicant which I know he's aware that the sewer reallocation agreement needs to be finalized. It's currently pending for the appropriation of sewer from the Majestic District to this use, the sanitary line we understand is intended to be dedicated to the Town. We need to get that acknowledged on the plan, as far as providing an easement and they'll need DEC approval. We have the private road completion bond, the maintenance declaration, both of which are procedural items. I'm sure they've got somebody working on it and there's a

small public improvement estimate for the work out by the Town road. Procedurally, you have already taken lead agency, you have already had the public hearing, the changes that have occurred based on new design approach I don't believe are significant enough to warrant another public hearing. As I state in comment 3, you should really on the record make that decision and note that this is substantially the same, just some improved engineering design.

MR. PETRO: Mark, your note number 3, I like that you have this on there, is this something that you plan on doing with all the applications from now on or--

MR. EDSALL: No, this one as you said moved along so briskly that I lost track so I got ahold of Myra and we just tried to find out where I was.

MR. PETRO: That's a nice thing to have on this, if you and Myra can do that, Myra does a good job here, says we did it, we did it, but it's nice to read it so quickly.

MR. EDSALL: If Myra and I can coordinate, she can give me the status sheets and I can put in on there.

MR. PETRO: Public hearing was held on 6/11/03 and I think that the board would agree that any of the changes are very insignificant in that the board would not require a new public hearing, matter of fact, I don't know if anybody showed up at the last one. Does anybody disagree how about that? Just a roll call if we should not require another public hearing under such small changes.

MR. ARGENIO: I agree.

MR. PETRO: Motion to that effect.

MR. ARGENIO: So moved.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board not require a second public hearing due to the small changes and insignificant conditions of them for the Stella Way minor subdivision. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. GALLAGHER	AYE
MR. MASON	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. EDSALL: Is it in front of DEC now or no?

MR. CLEARWATER: No.

MR. PETRO: Entertain a motion for negative dec.

MR. ARGENIO: So moved.

MR. MASON: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec under the SEQRA process for the Stella Way minor subdivision. Any further discussion from the board members?

MR. EDSALL: I just want the record to be clear that the reason why you didn't do the negative dec back in 2003 following the public hearing is that there was at drainage issue that required Henry and I to make a field visit that's since has been resolved, this was the only issue that was holding it up.

ROLL CALL

MR. SCHLESINGER	AYE
MR. GALLAGHER	AYE
MR. MASON	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: We have highway approval on 9/21/2004, we have fire approval on 9/16/2004, 911 need to assign numbers, must be picked up, placed on the plan. Please submit three copies.

MR. EDSALL: Myra, this had preliminary already? No?

MR. PETRO: This used to be listed under fire, is this something separate? John's doing them both?

MS. MASON: Yeah but they're two separate reviews so you can give a disapproval to one and not the other.

MR. PETRO: Wasn't like that before.

MS. MASON: No.

MR. PETRO: Okay, all right, so Mark, other than the E-911 numbers being assigned, what else do you have?

MR. EDSALL: This doesn't have at this point as I recall preliminary approval?

MR. CLEARWATER: No, it doesn't.

MR. EDSALL: So the next step similar to the previous application will be a preliminary approval so they can move on.

MR. PETRO: Motion for preliminary approval.

MR. ARGENIO: So moved.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant preliminary approval to Stella Way minor subdivision on Schiavone Road subject to, well, I guess just get the 911 numbers done and you can start with the outside agencies. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. GALLAGHER	AYE
MR. MASON	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: Thank you.

MR. CLEARWATER: 911 numbers are on here, he did give them to us and I added them on.

MS. MASON: I'll check it.

MR. PETRO: Just maybe an oversight.

MR. CLEARWATER: Thank you very much.





September 22, 2004

P.B. # 03-08

Had Sewer allocation agreement executed by Supervisor  
Need D.E.C. Approval

REGULAR ITEMS:

STELLA WAY SUBDIVISION (03-08)

MR. PETRO: Proposed 3 lot residential subdivision. Somebody here to represent this?

Mr. James Clearwater appeared before the board for this proposal.

MR. PETRO: Application proposes subdivision of two existing parcels into 3 single family lots. Plan was previously reviewed at the 26 March 2003, 11 June, 2003 and 27 August, 2003 planning board meetings.

MR. CLEARWATER: My name is James Clearwater, I'm a land surveyor with MJS engineering. I'm here with the applicant, Mr. Kenny Gass with Cherry Valley Builders. As the Chairman correctly stated, this is a 3 lot subdivision of 5.3 acres. Plan was previously reviewed by the board some time ago. Since then, we have made some slight changes to the plan, lot layout remains the same, road location remains the same, we did eliminate a large retaining wall that ran along the westerly side of the private road in favor of grading, much better location and much better project. Basically, the project remained the same, otherwise the lot configurations, houses are in the same location, of course, it's a public sewer project with wells, I know the Town engineer had several comments. I looked at his list, it didn't seem to be anything onerous and we'll address those comments. I'd be happy to answer any questions you may have.

MR. PETRO: There's about ten comments from Mark, there's a lot going on here. I would suggest that you take a copy of Mark's comments. Mike, do you have a copy?

MR. BABCOCK: I gave them to him tonight, Mr. Chairman.

August 11, 2004

9

MR. PETRO: Why don't you address them and we'll see you in a couple weeks. It's just too much to go on here. Some of them I'm not going to address, you just have to do it.

MR. CLEARWATER: Oh, yeah, I don't have a problem with any of them.

MR. PETRO: Did we have lead agency coordination letter sent out on this?

MS. MASON: Yes, it was.

MR. PETRO: Has 30 days elapsed?

MS. MASON: Yes, sent out March of 2003.

MR. PETRO: Did we get any response?

MS. MASON: Wait a minute, that's not right, it went out June of 2003. No, there was no response.

MR. PETRO: I'll entertain a motion for lead agency.

MR. ARGENIO: So moved.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the Stella Way subdivision on Chiavone Road. any further discussion from the board members? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. SCHLESINGER	AYE
MR. KARNAVEZOS	AYE

August 11, 2004

10

MR. ARGENIO            AYE  
MR. PETRO             AYE

MR. PETRO: Anything that you want to ask the planning board or any concerns on any of the comments?

MR. CLEARWATER: They seem fine.

MR. PETRO: We'll see you next time then.

MR. KRIEGER: With respect to the private road maintenance agreement, give this to your attorney and he can contact me because I will have to approve the form anyway.

MR. CLEARWATER: Right, okay, very good. Thank you.



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E. (NY & PA)  
WILLIAM J. HAUSER, P.E. (NY & NJ)  
MARK J. EDSALL, P.E. (NY, NJ & PA)  
JAMES M. FARR, P.E. (NY & PA)

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*Writer's e-mail address:*  
mje@mhepc.com

**TOWN OF NEW WINDSOR**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**PROJECT NAME:** STELLA WAY (CHERRY VALLEY) MINOR SUBDIVISION  
**PROJECT LOCATION:** SCHIAVONE ROAD  
SECTION 57 – BLOCK 1 – LOT 52 & 60  
**PROJECT NUMBER:** 03-08  
**DATE:** 11 AUGUST 2004  
**DESCRIPTION:** THE APPLICATION PROPOSES THE SUBDIVISION OF TWO  
EXISTING PARCELS INTO THREE (3) SINGLE-FAMILY LOTS. THE  
PLAN WAS PREVIOUSLY REVIEWED AT THE 26 MARCH 2003,  
11 JUNE 2003, AND 27 AUGUST 2003 PLANNING BOARD MEETINGS.

1. At the August 2003 Planning Board meeting, I noted that all my previous requested corrections were made to the plans. Also, I reported to the Board regarding a field meeting with Henry Kroll, at which time we identified the need for some rip rap and drainage facilities “above” the proposed private road (wide drainage channel with oversized rip rap. This needs to be added to the plans, as noted below).

The plans have now been revised to eliminate the previously depicted retaining walls along the private road. Concrete curbs and asphalt pavement are intended for the roadway. Storm catch basins are still included. In connection with this redesign, the applicant’s engineer has advised that a new field survey has been accomplished, to verify the grade conditions in the critical areas. Overall, all these improvements appear acceptable.

2. Some remaining issues are as follows:
  - Rip Rap should be added to the swale on the north side of Schiavone Road, above the proposed road. An 18” pipe with end section should be provided, and be attached to the private road catch basin on the east side of the road.
  - The sewer reallocation must be completed and executed by the Town Supervisor, and the sewer line must be submitted to the NYSDEC and obtain there approval.
  - The plans should include a complete bulk table which includes the “required” values and the proposed values for each lot.

**REGIONAL OFFICES**


• 507 Broad Street • Milford, Pennsylvania 18337 • 570-296-2765 •  
• 540 Broadway • Monticello, New York 12701 • 845-794-3399 •

- The first sheet (subdivision plan) should include the private road metes and bounds.
  - The sanitary line must be dedicated to the Town. As such, a sewer easement must be created, which could have the same limits as the private road right-of-way. The Town Attorney must approve the final sewer easement.
  - Confirm road name and 911 numbering with Fire Inspector's office, per standard policy of the Town.
  - The applicant will be required to submit a Private Road Completion Bond per the requirements of Section A60-10(A)(8) of the Town Street Specifications. Prior to posting the bond, a cost estimate should be submitted for review and approval.
  - The applicant should submit a draft copy of the Private Road Maintenance Declaration, in recordable form, to the Planning Board Attorney for review.
  - The applicant should be directed to submit the Public Improvement Bond Estimate (sewer work) to the Town for review, and subsequent approval of the Town Board.
3. The Board should verify that Lead Agency has been formally assumed, and that a determination regarding the type action this project should be classified under SEQRA, and a determination regarding environmental significance, has been completed.

Respectfully Submitted,

*Mark Edsall, P.E., P.P.*

Mark J. Edsall, P.E., P.P.  
Planning Board Engineer

  
NW03-08-11Aug04.doc

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 09/22/2004

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 3-8

NAME: STELLA WAY SUBDIVISION PA

APPLICANT: CHERRY VALLEY

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
REV1	09/13/2004	MUNICIPAL HIGHWAY	09/21/2004	APPROVED
REV1	09/13/2004	MUNICIPAL WATER	/ /	
REV1	09/13/2004	MUNICIPAL SEWER	/ /	
REV1	09/13/2004	MUNICIPAL FIRE	09/16/2004	APPROVED
REV1	09/13/2004	NYS DOT	/ /	
REV1	09/13/2004	E-911 COORDINATOR	09/15/2004	DISAPPROVED
		. NEED ASSIGNED NUMBERS MUST BE PLACED ON PLAN - PLEASE SUBMIT		
		. THREE COPIES OF c-1 FOR 911 MARK-UP		
ORIG	03/24/2003	MUNICIPAL HIGHWAY	06/10/2003	APPROVED
ORIG	03/24/2003	MUNICIPAL WATER	06/09/2003	APPROVED
ORIG	03/24/2003	MUNICIPAL SEWER	06/20/2003	APPROVED
		. SEWER LATERALS NEED BACKWATER VALVES		
ORIG	03/24/2003	MUNICIPAL FIRE	06/10/2003	APPROVED
ORIG	03/24/2003	NYS DOT	09/13/2004	SUPERSEDED BY REV1

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 09/22/2004

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]  
O [Disap, Appr]

FOR PROJECT NUMBER: 3-8

NAME: STELLA WAY SUBDIVISION PA

APPLICANT: CHERRY VALLEY

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
08/11/2004	P.B. APPEARANCE	ADDRESS MARKS COMM
09/24/2003	P.B. APPEARANCE - DISCUSSION	REQUEST TO CUT TREES
	. BOARD APPROVED CUTTING OF TREES ONLY AT THIS TIME	
08/27/2003	P.B. APPEARANCE	NO SHOW
06/11/2003	P.B. APPEARANCE	CLOSED PH - RETURN
	. HELD AND CLOSED PUBLIC HEARING - 6/12/03	INFORMED JOY OF
	. ADONI ENG. I NEED ONE-SHEET SUB. PLAN AND 10 SETS OF EAF FOR	
	. LEAD AGENCY LETTERS - HAVE HENRY & MARK CHECK CULVERTS FOR	
	. DRAINAGE ON SCHIAVONNE ROAD	
03/26/2003	P.B. APPEARANCE	COORD LTR/SCHED PH
	. NEED EASEMENT FOR SEWER MAIN (TO BE CHECKED BY CROTTY) -	
	. NEED SEWER ALLOCATION - MARK TO CHECK SIGHT DISTANCE WITH	
	. HENRY - GET HIGHWAY APPROVAL BEFORE SETTING PH (MARK TO	
	. COORDINATE W/HENRY	



PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 09/22/2004

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 3-8

NAME: STELLA WAY SUBDIVISION PA

APPLICANT: CHERRY VALLEY

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	03/24/2003	EAF SUBMITTED	/ /	WITH APPLIC
ORIG	03/24/2003	CIRCULATE TO INVOLVED AGENCIES	03/26/2003	AUTH LETTR
ORIG	03/24/2003	LEAD AGENCY DECLARED	08/11/2004	TOOK LA
ORIG	03/24/2003	DECLARATION (POS/NEG)	/ /	
ORIG	03/24/2003	SCHEDULE PUBLIC HEARING	03/26/2003	SCHED PH
ORIG	03/24/2003	PUBLIC HEARING HELD	06/11/2003	CLOSED PH
ORIG	03/24/2003	WAIVE PUBLIC HEARING	/ /	
ORIG	03/24/2003	PRELIMINARY APPROVAL	/ /	
ORIG	03/24/2003		/ /	

**MJS ENGINEERING**  
CIVIL/ENVIRONMENTAL

---

MJS Engineering, PC  
261 Greenwich Avenue  
Goshen, NY 10924  
(845) 291-8650 Fax (845) 291-8657

040102

2 September 2004

Town of New Windsor Planning Board  
Attn: Ms. Myra Mason, Secretary  
555 Union Avenue  
New Windsor, NY 12553

RE: Cherry Valley Builders, Inc.  
Stella's Way — Section 57, Block 1, Lots 52 and 60

Dear Ms Mason:

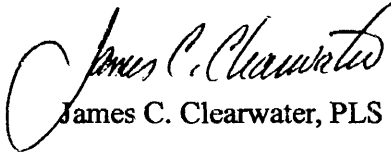
Enclosed are 10 sets of prints for the Stella's Way 3-lot subdivision, revised to reflect the comments received at the August 11<sup>th</sup> Planning Board meeting. In particular, the plans have been revised as follows:

1. An additional drain pipe has been added to collect runoff from Schiavone Road near the intersection with Stella's Way as suggested by the Town Engineer. Rip-rap has also been added in the drainage ditch.
2. A bulk table has been added to the plan which shows not only the required values but the provided values for each lot.
3. The metes and bounds have been added to the lot lines as well as the private road limits.
4. A sanitary sewer easement is proposed to be coincident with the entire limits of the private road right-of-way. A metes and bounds description will be provided to Mr. Andrew Krieger, the Planning Board's attorney, for his review.
5. The 911 addressing has been added to the plan.
6. A draft copy of the Private Road Maintenance Declaration has been provided to Mr. Andrew Krieger for his review.

Town of New Windsor Planning Board  
Attn: Ms. Myra Mason, Secretary  
2 September 2004

Please place this application on the Planning Board's agenda for preliminary approval. If you have any questions or need additional information, please do not hesitate to contact the undersigned.

Very truly yours,  
**MJS Engineering, PC**



James C. Clearwater, PLS

JCC/gl  
Enc.

cc: K. Gass



RESULTS OF P.B. MEETING OF: August 11, 2004

PROJECT: Stella Way Subdivision P.B. # 03-08



**LEAD AGENCY:**

AUTHORIZE COORD. LETTER: Y N

TAKE LEAD AGENCY: Y ☒ N ☐

M) A S) 5 VOTE: A 5 N 0

CARRIED: Y ☒ N

**NEGATIVE DEC:**

M)\_\_\_S)\_\_\_VOTE: A\_\_\_N\_\_\_

CARRIED: Y\_\_\_\_\_N\_\_\_\_\_

**PUBLIC HEARING:** \_\_\_\_\_ **WAIVED:** \_\_\_\_\_ **CLOSED:** \_\_\_\_\_

M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_ SCHEDULE P.H.: Y \_\_\_\_\_ N \_\_\_\_\_

SEND TO O.C. PLANNING: Y

SEND TO DEPT. OF TRANSPORTATION: Y.

REFER TO Z.B.A.: M) S) VOTE: A N

RETURN TO WORK SHOP: Y\_\_N\_\_

**APPROVAL:**

M)        S)        VOTE: A        N        APPROVED:                     

NEED NEW PLANS: Y N

**CONDITIONS – NOTES:**

[illegible]

**MJS ENGINEERING**  
**CIVIL/ENVIRONMENTAL**

---

MJS Engineering, PC  
261 Greenwich Avenue  
Goshen, NY 10924  
(845) 291-8650 Fax (845) 291-8657

040102

20 July 2004

Town of New Windsor Planning Board  
Attn: Ms. Myra Mason, Secretary  
555 Union Avenue  
New Windsor, NY 12553

RE: Cherry Valley Builders, Inc.  
Stella's Way— Section 57, Block 1, Lots 52 and 60

Dear Ms. Mason:

Please find enclosed ten (10) sets of Subdivision Plans for the project known as Stella's Way along Schiavone Road in the Town of New Windsor. Please note that this 3-lot subdivision was previously reviewed by the planning board over the last year and we note that this office is now assuming this job. We also wish to point out that the record surveyor is James Dillin, LS and, although the project is similar, there are differences in the details that are shown on this plan.

We understand that this project was about to receive preliminary approval and these plans are being transmitted for the continued review of this project.

We look forward to meeting with the board and further discussing this project. Please let us know the date and time that the plan would be heard by the planning board.

Very truly yours,  
**MJS Engineering, PC**



Michael J. Sandor, PE  
President

MJS/gl  
Enc.

cc: K. Gass

**AGENT/OWNER PROXY STATEMENT**  
**(for professional representation)**

for submittal to the:  
**TOWN OF NEW WINDSOR PLANNING BOARD**

CHERRY VALLEY BUILDERS, deposes and says that he resides  
(OWNER)

at 110 CHERRY VALLEY AVE in the County of NASSAU  
(OWNER'S ADDRESS)

and State of NEW YORK and that he is the owner of property tax map

(Sec. 57 Block 1 Lot 52)  
designation number (Sec. 57 Block 1 Lot 60) which is the premises described in  
the foregoing application and that he designates:

MICHAEL J. SANDON, PE - MJS ENGINEERING, PC  
(Agent Name & Address)

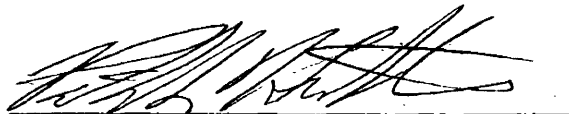
261 GREENWICH AVE, GOSHEN, NY 10924  
(Name & Address of Professional Representative of Owner and/or Agent)

as his agent to make the attached application.

**THIS DESIGNATION SHALL BE EFFECTIVE UNTIL WITHDRAWN BY THE OWNER OR  
UNTIL TWO (2) YEARS FROM THE DATE AGREED TO, WHICH EVER IS SOONER.**


SWORN BEFORE ME THIS:

4<sup>th</sup> DAY OF August 2007

  
NOTARY PUBLIC

**\*\***   
Owner's Signature (MUST BE NOTARIZED)

(N/A)  
Agent's Signature (If Applicable)

  
Professional Representative's Signature

**\*\* PLEASE NOTE: ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.**

**THIS PROXY SHALL BE VOID TWO (2) YEARS AFTER AGREED TO BY THE OWNER**



# TOWN OF NEW WINDSOR

TOWN CLERK'S OFFICE  
555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553  
Telephone: (845) 563-4611  
Fax: (845) 563-4670



## REQUEST FOR PUBLIC RECORDS

(Please specify or describe item (s) requested)

Name + number of lot area  
Cherry valley Birkers  
STELLA WAY

Date Records Requested:

Name: Frank Lombardi

Address: 361 Oak Drive  
New Windsor

Phone: (845) 629-1301

Representing:

Documents may not be taken from this office.

CORRESPONDENCE:

STELLA WAY SUBDIVISION (03-08)

MR. PETRO: Stella Way subdivision. Letter requesting permission to clear trees. Who has that letter, you Mark?

MR. EDSALL: Actually, Ken Gass is here.

MR. PETRO: With regard to the aforementioned project, we request permission to remove trees located within the proposed right-of-way, build a retaining wall and backfill. Our objective is to stabilize the roadbed while waiting for DOT approval. Where is it?

MR. GASS: On Schivone Road.

MR. PETRO: How many lot subdivision?

MR. GASS: Three lot subdivision.

MR. EDSALL: This is the one where the drainage issue was raised and Henry and I went back out to look at it and we've made some recommendation, Ken has agreed to add some additional rip-rap and slow down the flow of water along the existing Town shoulder. The only thing that's holding him up is the fact that unfortunately, his application to DEC didn't exactly get submitted on a timely basis, so now he's kind of behind the gun.

MR. GASS: We're trying to fight the weather before the winter comes. DEC's probably 120 days away for approval, I don't want to start a project in the middle of the winter, I'd like to get a road base in now and stabilize it before the weather.

MR. LANDER: So you're only going to clear the trees within the right-of-way?



MR. GASS: Just within the right-of-way clear the trees, backfill, build a retaining wall, not going to put any utilities in at this moment, God forbid that DEC doesn't give us an approval, we'll build one house then we'll just do a sewer lateral.

MR. PETRO: Do you have a good pulse on this? Any problem?

MR. EDSALL: I don't have any problem, to be honest with you, if he had a response from DOT, he'd probably be asking for final approval right now.

MR. PETRO: Everybody just say aye.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

**CHERRY VALLEY BUILDERS INC.**

September 22, 2003

Town of New Windsor Planning Board

Re: Stellas Way (Cherry Valley)  
Minor Subdivision Schiavone Road  
Sect. 57 - Block 1 - Lot 52 & 60

With regard to the above-mentioned project, we respectfully request permission to remove trees located within the proposed roadway, build a retaining wall and backfill. Our objective is to stabilize the roadbed while waiting for DEC approval.

Your time and consideration with regard to this matter is greatly appreciated.

Thank you,

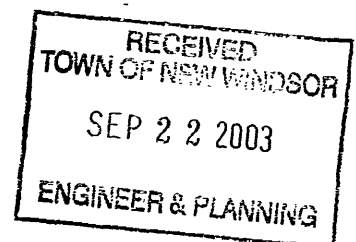
CHERRY VALLEY BUILDERS INC.

  
Ken Gass

KG:mm

*Approved 9/24/03*

110 Cherry Valley Avenue  
West Hempstead, NY 11552  
Phone: 516/292-6000 Phone  
516/292-6090 Fax





New York State Office of Parks, Recreation and Historic Preservation  
Historic Preservation Field Services Bureau  
Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

September 05, 2003

Mark Edsall  
New Windsor Town Planning Board  
555 Union Avenue  
New Windsor, New York 12553

Re: SEORA  
Stella Way Subdivision/5.3 acres off Schiavone  
Road  
New Windsor, Orange County  
03PR03239

Dear Mr. Edsall:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP) concerning your project's potential impact/effect upon historic and/or prehistoric cultural resources. Our staff has reviewed the documentation that you provided on your project. Preliminary comments and/or requests for additional information are noted on separate enclosures accompanying this letter. A determination of impact/effect will be provided only after ALL documentation requirements noted on any enclosures have been met. Any questions concerning our preliminary comments and/or requests for additional information should be directed to the appropriate staff person identified on each enclosure.

In cases where a state agency is involved in this undertaking, it is appropriate for that agency to determine whether consultation should take place with OPRHP under Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law. In addition, if there is any federal agency involvement, Advisory Council on Historic Preservation's regulations, "Protection of Historic and Cultural Properties" 36 CFR 800 requires that agency to initiate Section 106 consultation with the State Historic Preservation Officer (SHPO).

When responding, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Ruth L. Pierpont  
Director

RLP:cmp

9/8/03  
cc: M.E.  
Nelson Picke

**REQUEST FOR ADDITIONAL INFORMATION  
ARCHEOLOGY**

**PROJECT NUMBER 03PR03239**

**( Stella Way Subdivision/5.3 acres off Schiavone Road/T/NEW WINDSOR )**

In order for us to complete our evaluation of the Archaeological sensitivity of your project will need the following additional information

- ☐ Full project description showing area of potential effect.
- ☐ Clear, original photographs of the project area from all directions, keyed to a site plan.
- ☐ Brief history of property.
- ☐ Clear, original photographs of the following:
- ☐ Other:
- ☒ Other:  
\*\*\* SECOND REQUEST \*\*\*
- ☐ Complete Set of Engineering Plans
- ☒ The boundaries of the project area should be clearly delineated on a United States Geological Survey (USGS) Quadrangle, or New York State Department of Transportation (DOT) 7.5-minute (scale 1=24,000) map. Original scale should be used if photocopying and a label providing map title should be included. There are several "on-line" resources for these maps. Some examples include: terraserver. com and topozone.com.

Please provide only the additional information checked above. for archaeological review. If you have any questions concerning this request for additional information, please call Michael Schifferli at 518-237-8643. ext 3281

**PLEASE BE SURE TO REFER TO THE PROJECT NUMBER NOTED ABOVE WHEN  
RESPONDING TO THIS REQUEST**

CORRESPONDENCE:

STELLA WAY SUBDIVISION (03-08)

MR. PETRO: Stella Way subdivision. Letter requesting permission to clear trees. Who has that letter, you Mark?

MR. EDSALL: Actually, Ken Gass is here.

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MR. PETRO: Everybody just say aye.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

August 27, 2003

32

STELLA WAY SUBDIVISION (#03-08)

No show.



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

**RICHARD D. McGOEY, P.E. (NY & PA)**

**WILLIAM J. HAUSER, P.E. (NY & NJ)**

**MARK J. EDSALL, P.E. (NY, NJ & PA)**

**JAMES M. FARR, P.E. (NY & PA)**

**MAIN OFFICE**

33 Airport Center Drive

Suite 202

New Windsor, New York 12553

(845) 567-3100

fax: (845) 567-3232

e-mail: mheny@mhepc.com

*Writer's e-mail address:*

*mje@mhepc.com*

**TOWN OF NEW WINDSOR**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**PROJECT NAME:** STELLA WAY (CHERRY VALLEY) MINOR SUBDIVISION  
**PROJECT LOCATION:** SCHIAVONE ROAD  
SECTION 57 – BLOCK 1 – LOT 52 & 60  
**PROJECT NUMBER:** 03-08  
**DATE:** 27 AUGUST 2003  
**DESCRIPTION:** THE APPLICATION PROPOSES THE SUBDIVISION OF TWO  
EXISTING PARCELS INTO THREE (3) SINGLE-FAMILY LOTS. THE  
PLAN WAS PREVIOUSLY REVIEWED AT THE 26 MARCH 2003 AND  
11 JUNE 2003 PLANNING BOARD MEETINGS.

1. All previous corrections requested on the plans were previously made. To my knowledge, the only outstanding issue was the request of the Board that Highway Superintendent and myself visit the site and see if any additional drainage improvements are possible/appropriate.

On 22 August 2003 Henry Kroll and I visited the site. My memo concerning our observations is attached.

2. A Lead Agency circulation was made for SEQRA. The Board can assume Lead Agency status at this time.
3. The Planning Board may wish to make a determination regarding the type action this project should be classified under SEQRA, and make a determination regarding environmental significance.
4. Based on the above, and my file record, I recommend the Board grant preliminary approval to the subdivision. The following issues will require attention before the applicant can return for final approval:
  - The plans be revised to provide a wider drainage channel with oversized rip rap.
  - The Town Attorney must approve the final sewer easement.

**REGIONAL OFFICES**

- 507 Broad Street • Milford, Pennsylvania 18337 • 570-296-2765 •
- 540 Broadway • Monticello, New York 12701 • 845-794-3399 •



- Receipt of approval for the sewer line from NYSDEC (including final reallocation agreement approval from the Town Board).
- Confirm road name and 911 numbering with Fire Inspector's office, per standard policy of the Town.
- The applicant will be required to submit a Private Road Completion Bond per the requirements of Section A60-10(A)(8) of the Town Street Specifications. Prior to posting the bond, a cost estimate should be submitted for review and approval.
- The applicant should submit a draft copy of the Private Road Maintenance Declaration, in recordable form, to the Planning Board Attorney for review.
- The applicant should be directed to submit the Public Improvement Bond Estimate (sewer work) to the Town for review, and subsequent approval of the Town Board.

Respectfully Submitted,

  
Mark J. Edsall, P.E., P.P.  
Planning Board Engineer

NW03-08-27Aug03.doc



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. MCGOEY, P.E. (NY & PA)

WILLIAM J. HAUSER, P.E. (NY & NJ)

MARK J. EDSALL, P.E. (NY, NJ & PA)

JAMES M. FARR, P.E. (NY & PA)

**FAXED**

**MAIN OFFICE**

33 Airport Center Drive

Suite 202

New Windsor, New York 12553

(845) 567-3100

fax: (845) 567-3232

e-mail: mheny@mhepc.com

Writer's e-mail address:

mje@mhepc.com

**MEMORANDUM**

25 August 2003

**TO: CHAIRMAN JAMES PETRO & PLANNING BOARD MEMBERS**

**FROM: MARK J. EDSALL, P.E., ENGINEER FOR THE PLANNING BOARD**

**SUBJECT: STELLA WAY (CHERRY VALLEY) MAJOR SUBDIVISION  
FIELD REVIEW OF DRAINAGE WITH HIGHWAY SUPT.  
P.B. APP. NO. 03-08**

As per the Board's request, on the afternoon of 22 August 2003, Henry Kroll and I re-visited the site of the subject subdivision before the board.

The project is located in a sloped section of Schiavone Road and there exists a drainage channel roadside in the area of the proposed private road. The applicant's plans propose a reconstructed stone ditch and a culvert to carry existing drainage from the existing Town road. Drainage will continue to run in the same general direction that it does now, with the same destination.

Our only suggestion to possibly improve the situation is to slow down the stormwater. This could be accomplished with a wider channel with oversized rip rap. I have spoken with the developer and they agree to make this change.

Cc: Henry Kroll, Town Highway Superintendent (via fax)

NW03-08-Memo 082503  
MJE/st

**REGIONAL OFFICES**

- 507 Broad Street • Milford, Pennsylvania 18337 • 570-296-2765 •
- 540 Broadway • Monticello, New York 12701 • 845-794-3391 •



RESULTS OF P.B. MEETING OF: August 27, 2003

PROJECT: Stella Way Sub. P.B. # 03-08



**LEAD AGENCY:**

**NEGATIVE DEC:**

AUTHORIZE COORD. LETTER: Y        N       

M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

TAKE LEAD AGENCY: Y N

CARRIED: Y\_\_\_\_\_N\_\_\_\_\_

M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

CARRIED: Y N

**PUBLIC HEARING:**                      **WAIVED:**                      **CLOSED:**

M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_ SCHEDULE P.H.: Y \_\_\_\_\_ N \_\_\_\_\_

SEND TO O.C. PLANNING: Y

SEND TO DEPT. OF TRANSPORTATION: Y

REFER TO Z.B.A.: M) S) VOTE: A N

RETURN TO WORK SHOP: Y N

**APPROVAL:**

M)        S)        VOTE: A        N        APPROVED:       

NEED NEW PLANS: Y N

**CONDITIONS – NOTES:**

[illegible]



**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

RICHARD D. MCGOEY, P.E. (NY & PA)

WILLIAM J. HAUSER, P.E. (NY & NJ)

MARK J. EDSALL, P.E. (NY, NJ & PA)

JAMES M. FARR, P.E. (NY & PA)

□ Main Office  
33 Airport Center Drive  
Suite #202  
New Windsor, New York 12553  
(845) 567-3100  
e-mail: mheny@mhepc.com

□ Regional Office  
507 Broad Street  
Millford, Pennsylvania 18337  
(570) 296-2765  
e-mail: mhepa@mhepc.com

Writer's E-mail Address:  
mje@mhepc.com

**PLANNING BOARD WORK SESSION**  
**RECORD OF APPEARANCE**

TOWN / VILLAGE OF: New Windsor P/B APP. NO.: 03 08  
WORK SESSION DATE: 3 Sept 03 PROJECT: NEW OLD X  
REAPPEARANCE AT W/S REQUESTED: yes RESUB. REQ'D: yes  
PROJECT NAME: Stella Way  
REPRESENTATIVES PRESENT: Nelson P.  
MUNICIPAL REPS PRESENT: BLDG INSP. X FIRE INSP. John  
ENGINEER X PLANNER \_\_\_\_\_  
P/B CHMN \_\_\_\_\_ OTHER \_\_\_\_\_

ITEMS DISCUSSED:  
ck Stads DEC App  
never rec'd package  
- realloc Stads?  
alg list of mfr  
comm. chll  
needs to be finished  
A lot of work to do.

STND CHECKLIST: PROJECT TYPE  
DRAINAGE \_\_\_\_\_ SITE PLAN  
DUMPSTER \_\_\_\_\_ SPEC PERMIT  
SCREENING \_\_\_\_\_ L L CHG.  
LIGHTING \_\_\_\_\_ SUBDIVISION  
(Streetlights) \_\_\_\_\_ OTHER  
LANDSCAPING \_\_\_\_\_  
BLACKTOP \_\_\_\_\_  
ROADWAYS \_\_\_\_\_  
APPROVAL BOX \_\_\_\_\_  
PROJECT STATUS:  
ZBA Referral: \_\_\_\_\_ Y \_\_\_\_\_ N  
Ready For Meeting \_\_\_\_\_ Y \_\_\_\_\_ N  
Recommended Mtg Date \_\_\_\_\_



# "Public Hearing"



RESULTS OF P.B. MEETING OF:

June 11, 2003

PROJECT: Stella Way Sub.

P.B. # 03-08

## LEAD AGENCY:

## NEGATIVE DEC:

AUTHORIZE COORD. LETTER: Y      N     

M)      S)      VOTE: A      N     

TAKE LEAD AGENCY: Y      N     

CARRIED: Y      N     

M)      S)      VOTE: A      N     

CARRIED: Y      N     

PUBLIC HEARING: WAIVED:      CLOSED: ✓

M) A S) K VOTE: A 5 N 0 SCHEDULE P.H.: Y      N     

SEND TO O.C. PLANNING: Y     

SEND TO DEPT. OF TRANSPORTATION: Y     

REFER TO Z.B.A.: M)      S)      VOTE: A      N     

RETURN TO WORK SHOP: Y      N     

## APPROVAL:

M)      S)      VOTE: A      N      APPROVED:     

NEED NEW PLANS: Y      N     

## CONDITIONS - NOTES:

★ Thomas Calabada - 19 Schiavone Rd. - Spoke re. drainage + wells

Have Harry Check Culverts at existing lots

Tom Gianazzo - 19 Schiavone Rd - Wells

Do L.A. Letters



New York State Office of Parks, Recreation and Historic Preservation  
Historic Preservation Field Services Bureau  
Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

August 01, 2003

Mark Edsall  
New Windsor Town Planning Board  
555 Union Avenue  
New Windsor, New York 12553

Re: SEORA  
Stella Way Subdivision/5.3 acres off Schiavone  
Road  
New Windsor, Orange County  
03PR03239

Dear Mr. Edsall:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP) concerning your project's potential impact/effect upon historic and/or prehistoric cultural resources. Our staff has reviewed the documentation that you provided on your project. Preliminary comments and/or requests for additional information are noted on separate enclosures accompanying this letter. A determination of impact/effect will be provided only after ALL documentation requirements noted on any enclosures have been met. Any questions concerning our preliminary comments and/or requests for additional information should be directed to the appropriate staff person identified on each enclosure.

In cases where a state agency is involved in this undertaking, it is appropriate for that agency to determine whether consultation should take place with OPRHP under Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law. In addition, if there is any federal agency involvement, Advisory Council on Historic Preservation's regulations, "Protection of Historic and Cultural Properties" 36 CFR 800 requires that agency to initiate Section 106 consultation with the State Historic Preservation Officer (SHPO).

When responding, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Ruth L. Pierpont  
Director

RLP:cmp

*Sent 8/13*

*57-1-52  
CC:ME*

**REQUEST FOR ADDITIONAL INFORMATION  
BUILDINGS/STRUCTURES/DISTRICTS**

**PROJECT NUMBER 03PR03239**

**( Stella Way Subdivision/5.3 acres off Schiavone Road/T/NEW WINDSOR )**

---

In order for us to complete our evaluation of the historic signification of all buildings/structures/districts within or adjacent to your project area we will need the following additional information

- ☐ Full project description showing area of potential effect.
- ☐ Clear, original photographs of buildings/structures 50 years or older.
  - ☐ within or ☐ immediately adjacent to the project area

**\*\* key all photographs to a site map**
- ☐ Clear, original photographs of the surroundings looking out from the project site in all direction, *keyed to a site map.*
- ☐ Date of construction.
- ☐ Brief history of property.
- ☐ Clear, original photographs of the following:
- ☒ Other:

The SHPO will be unable to complete a review of the project without a USGS or other quad map locating the project area within the Town of New Windsor.

Please provide only the additional information checked above. If you have any question concerning this request for additional information, please call William Krattinger at 5182378643. ext 3265

**PLEASE BE SURE TO REFER TO THE PROJECT NUMBER NOTED ABOVE WHEN  
RESPONDING TO THIS REQUEST**

-----X

**STELLA WAY P. B. #03-08**

**AFFIDAVIT OF  
SERVICE  
BY MAIL**

STATE OF NEW YORK )  
 ) SS:  
COUNTY OF ORANGE )

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the **29TH** day of MAY, 2003, I compared the 12 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for site plan/subdivision/special permit/lot line change approval and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Myra L. Mason  
Myra L. Mason, Secretary

29<sup>th</sup> day of May, 2003

Notary Public

**JENNIFER MEAD**  
**Notary Public, State Of New York**  
**No. 01ME6050024**  
**Qualified In Orange County**  
**Commission Expires 10/30/ 2006**





# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-4693

## Assessor's Office

April 30, 2003

Adoni Engineering, P.C.  
1662 Route 300, Suite 110  
Newburgh, NY 12550-1735

Re: 57-1-52 & 57-1-60      Mitchell      PB#03-08


Dear Sirs:

According to our records, the attached list of property owners are abutting and across the street to the above referenced parcels.

The charge for this service is \$35.00, minus your deposit of \$25.00.

Please remit the balance of \$10.00 to the Town Clerk's Office.

Sincerely,

  
J. Todd Wiley, IAO  
Sole Assessor

JTW/lrd  
Attachments

CC: Myra Mason, PB

57-1-50  
Nicholas & Beulah Ann Smith  
8436 259<sup>th</sup> Street  
Floral Park, NY 11001-1008 ✓

Mark J. Edsall, P.E.  
McGoey and Hauser  
Consulting Engineers, P.C.  
33 Airport Center Drive ✓

57-1-53.1  
Dion & Theresa Cestaro  
13 Schiavone Road  
New Windsor, NY 12553 ✓

57-1-61.1  
Thomas & Patricia Calebotta  
19 Schiavone Road  
New Windsor, NY 12553 ✓

57-1-61.5  
Thomas & Rosemary Jannazzo  
18 Schiavone Road  
New Windsor, NY 12553 ✓

57-1-115  
Raymond Gazzola  
14 Schiavone Road  
New Windsor, NY 12553 ✓

57-1-127  
Consolidated Rail Corporation  
Property Tax Department  
PO Box 8499  
Philadelphia, PA 19101 ✓

George J. Meyers, Supervisor  
Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553 ✓

Deborah Green, Town Clerk  
Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553 ✓

Andrew Krieger, ESQ.  
219 Quassaick Avenue  
New Windsor, NY 12553 ✓

James Petro, Chairman  
Planning Board  
555 Union Avenue  
New Windsor, NY 12553 ✓

✓ Ken Hauser (Cherry Valley Bldg)

12 mailed

**TOWN OF NEW WINDSOR**  
**REQUEST FOR NOTIFICATION LIST**

DATE: 04-24-2003 PROJECT NUMBER: ZBA# \_\_\_\_\_ P.B. # 03-08

APPLICANT NAME: CHERRY VALLEY BUILDERS

PERSON TO NOTIFY TO PICK UP LIST:

ADONI ENGINEERING, P.C.  
1662 ROUTE 300, SUITE 110  
NEWBURGH, NY 12550-1735

TELEPHONE: 566-0788 (JOY)

TAX MAP NUMBER: SEC. 57 BLOCK 1 LOT 52  
SEC. 57 BLOCK 1 LOT 60  
SEC. \_\_\_\_\_ BLOCK \_\_\_\_\_ LOT \_\_\_\_\_

PROPERTY LOCATION: SCHIAVONE ROAD  
NEW WINDSOR, NY

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: XX

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) XX

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) \_\_\_\_\_

AGRICULTURAL DISTRICT:  
(ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'  
OF SITE PLAN OR SUBDIVISION PROJECT) \_\_\_\_\_

❖ ❖

NEW WINDSOR ZONING BOARD \_\_\_\_\_

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT \_\_\_\_\_

❖ ❖

AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 2917

TOTAL CHARGES: \_\_\_\_\_



CIVIL • STRUCTURAL • LAND SURVEYORS  
ROUTE 300 PROFESSIONAL BUILDING  
1662 ROUTE 300, SUITE 110 845-566-0788  
NEWBURGH, NY 12550-1735

2917

1-1288/260

Date 04/21/03

Pay to the order of TOWN OF NEW WINDSOR

\$ 25.00

TWENTY-FIVE AND NO/100

Dollars 

Security Features  
Included  
Details on Back

FIRST UNION NATIONAL BANK

FIRSTUNION.COM

SUMMIT, NEW JERSEY 07901  
ORG. 075 R/T 026012881

For 1048.01 Stella way - adj. property owner list

⑈00002917⑈ ⑆026012881⑆ 203000023666⑈



**LEGAL NOTICE**



NOTICE IS HEREBY GIVEN that the PLANNING BOARD of the TOWN OF NEW WINDSOR, County of Orange, State of New York will hold a PUBLIC HEARING at Town Hall, 555 Union Avenue, New Windsor, New York on **JUNE 11TH, 2003** at 7:30 P.M. on the approval of the proposed Subdivision for **STELLA WAY SUBDIVISION (CHERRY VALLEY BUILDERS)**

Located at **SCHIAVONE ROAD - NEW WINDSOR, NY** (Tax Map #Section **57**, Block **1**, Lot **52 & 60**) . Map of the proposed project is on file and may be inspected at the **Planning Board Office**, Town Hall, 555 Union Avenue, New Windsor, NY prior to the Public Hearing.

**Date: MAY 21, 2003**\_\_\_\_\_

By Order of

**TOWN OF NEW WINDSOR PLANNING BOARD**

**James R. Petro, Jr., Chairman**

STELLA WAY SUBDIVISION (03-08)

Mr. Darren Stridiron appeared before the board for this proposal.

MR. PETRO: The application proposes subdivision of two existing parcels into three single family lots. Plan was reviewed in concept only, R-4 zone, bulk information on the plan is correct with the exception of lot area, nothing back from highway. Again, this must be very new because we have nothing back on--we don't have much to go on here.

MR. STRIDIRON: This is an existing 5 1/2 acre parcel that's actually 2 tax lot parcels which is 52 and 60 in Section 57.

MR. PETRO: Where is Schiavone Road, where does that come off?

MR. STRIDIRON: That comes off I believe Vascello.

MR. PETRO: It's all in the Town of New Windsor.

MR. STRIDIRON: Right.

MR. PETRO: Right against the railroad, right?

MR. STRIDIRON: Right.

MR. PETRO: Thinking ahead, I'm sorry.

MR. STRIDIRON: Proposing three lots on a private road that will be built as a town road base with a private binder. We had a meeting with Mark on the issues regarding sight distance which we did show on the plan. Now, we did move, we originally had the roadway more towards lot 14 to the east but we moved it over another 30 or 40 feet to get better sight distance. To the east, we have 160 foot sight distance and to the west we have 400 foot sight distance. There were comments made that the drainage on this site would have to be handled with the stone lined swale which we'd provide in several areas along the roadway that would discharge on the downhill portion of the roadway which is over in

these two areas of drainage, one on lot 3 over by the driveway and there's another area down by the entrance to the roadway which would be handled also with rip-rap culverts. The driveway slopes are all below the town maximum which is 15 percent or 14 percent. Our greatest slope on the driveway is 12 percent. The cul-de-sac slope in the area of the center is 4 percent maximum, we didn't go any steeper than that. The culvert pipe at the entrance to handle the existing drainage there's an existing ditch at Schiavone Road on the northern side of the road that we would handle with a stone lined swale and an 18 inch high density polyethylene pipe. Property itself would be served, the three properties would be served by the sewer line that runs into an existing starter manhole that's located on Schiavone Road. We'd provide a ten foot wide sanitary sewer easement, not that the line itself would run in the easement, but if you had to do any work around it, we did provide at least some area for grading or machinery to do the digging or maintenance. There are no variances required for any of these lots. The minimum lot size on lot 1 which is 1.1 acres, the largest lot is a 2.4 acre parcel.

MR. PETRO: You're going to require sewer points from Majestic, buy them and go to the Town Board and reallocate them?

MR. BABCOCK: He will have to do that.

MR. PETRO: Why are you not using just leach fields here?

MR. BABCOCK: He's in the sewer district.

MR. EDSALL: He's got to tie in.

MR. STRIDIRON: There are no conflicts with any of the drainage or sewer lines and individual wells would be serving these lots.

MR. PETRO: Jerry just pointed out the 1.1 acre lot so it is an R-4 zone, which is permitted one acre, correct?

MR. BABCOCK: Correct.

MR. EDSALL: Yes.

MR. PETRO: Let's talk about the access point on the road for a minute. I realize you don't probably have too much leeway there one way or the other with your lot size.

MR. STRIDIRON: That's correct.

MR. PETRO: You're right on the bend of road, I'm trying to picture coming this way and going in you have 106 feet you said?

MR. STRIDIRON: Yes, we actually did a study on this, we tried we set up the instrument at four locations along this road and that was the best location for sight distance.

MR. PETRO: What's the absolute minimum, 150?

MR. EDSALL: It's all related to vehicle speed and I haven't been on the site, I plan on going out with Henry but as I understand this is a section of Schiavone Road that has a turn where vehicle speed is limited just by the existing conditions but we'll look at that with the highway super.

MR. BABCOCK: Most cars that come up through Beaver Dam would take the road before this, Vascello, that exits out to Lakeside to Beaver Brook, if you go on passed Vascello, you come up Schiavone and you've got to go back out to Vascello so when we were out there, basically the cars that live here are the only cars on that road.

MR. ARGENIO: Mike, help me for a second, make a right turn on Beaver Brook then a right turn on Vascello, is that correct?

MR. BABCOCK: Which way, over the bridge into Beaver Dam?

MR. ARGENIO: Yes.



MR. BABCOCK: Make a left onto Beaver Brook just over the bridge, go down, make a right onto Lakeside, start up the hill, make a left on Vascello, when you go down a steep hill on Vascello, you make another left and it's a horseshoe, that's Schiavone.

MR. ARGENIO: I know where it is.

MR. PETRO: Why didn't he move it further to the straight side? I'm just curious.

MR. STRIDIRON: You want to bring the roadway perpendicular and you don't want to have an area where you're bringing it in at an angle.

MR. PETRO: You could have made a little bit of a bend in the road and go into your cul-de-sac.

MR. STRIDIRON: We didn't want to get too close to the areas of the wetlands. And as far as the grading is concerned, if you go farther down you're about six or seven feet down in terms of grade.

MR. PETRO: I'm going to leave it alone, let the highway superintendent look at it with Mr. Edsall and we'll go by what they say. Any other comments about the layout or the site itself? You have a number of comments Mark has written down, I think before we have a public hearing or set the public hearing, we should at least find out about the road. I have absolutely nothing here at all, no fire, no highway, clean up Mark's comments, come back and we'll set up a public hearing.

MR. EDSALL: Jim, number 5 I'd get going with.

MR. STRIDIRON: The comments regarding some of these issues are just a drafting of an easement detail of the retaining wall, it's not possible to get a public hearing set up if I address the comments from Mark and just have it scheduled?

MR. PETRO: Well, we can do that but I want to make sure that the road is going to be acceptable, number

one, we get a negative here from the highway, I don't want to have a public hearing with a negative. Highway location, that's number one, I mean, we can schedule it and you can say well, it's got to be ready in that respect but then it's going to fall on you to remember that and do all that.

MR. EDSALL: It would probably make sense to get a report from Henry because there's some concern, we probably could get the lead agency letter out, get that clock started then I'll just try to schedule to get out there with Henry.

MR. PETRO: I don't see any other major holdups here, frankly, I mean, it's pretty--

MR. SCHLESINGER: How is he tying in the sewer?

MR. PETRO: He needs permission from the New York State DEC, he has to buy sewer points from Majestic. Once he acquires those points, it has to be approved by the Town Board.

MR. PETRO: How are you physically tying into the sewer lines is the question?

MR. STRIDIRON: We have the detail shown on one of the plans for tying into the existing main on sheet number 5, detail number 10, the bottom left-hand corner.

MR. ARGENIO: Neil, did you mean how is it physically done or where?

MR. SCHLESINGER: Where.

MR. ARGENIO: On sheet C-102.

MR. EDSALL: It shows the laterals.

MR. STRIDIRON: This is the manhole.

MR. ARGENIO: Make a motion we circulate the lead agency coordination letter.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board authorize lead agency coordination letter for the, what the hell is the name of this, Stella Way subdivision. Is there any further discussion? If not, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: You talked me into it, we'll schedule a public hearing, we'll authorize it. We realize that we won't be able to schedule it unless the 30 days are gone from the lead agency coordination by the time you get the letter out, once you hear back and there's nothing, then you can schedule it. But you won't have to come back here, schedule it and come back, make sure that you have all the comments from highway here. I don't want to have a public hearing with nothing from the highway department.

MR. STRIDIRON: We deal directly with the highway department or through Mark?

MR. EDSALL: Just coordinate a field meeting, we'd like to meet with you out there so coordinate with me.

MR. PETRO: Motion to have a public hearing.

MR. ARGENIO: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board schedule a public hearing for Stella Way minor subdivision on Schiavone Road. Any further discussions from the board members? If not, roll call.

ROLL CALL

March 26, 2003

25

MR. SCHLESINGER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

**RICHARD D. McGOEY, P.E.** (NY & PA)

**WILLIAM J. HAUSER, P.E.** (NY & NJ)

**MARK J. EDSALL, P.E.** (NY, NJ & PA)

**JAMES M. FARR, P.E.** (NY & PA)

**MAIN OFFICE**

33 Airport Center Drive  
Suite 202  
New Windsor, New York 12553

(845) 567-3100

fax: (845) 567-3232

e-mail: mhenry@mhepc.com

*Writer's e-mail address:*

*mje@mhepc.com*

**TOWN OF NEW WINDSOR**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**PROJECT NAME:** STELLA WAY (CHERRY VALLEY) MINOR SUBDIVISION  
**PROJECT LOCATION:** SCHIAVONE ROAD  
SECTION 57 – BLOCK 1 – LOT 52 & 60  
**PROJECT NUMBER:** 03-08  
**DATE:** 26 MARCH 2003  
**DESCRIPTION:** THE APPLICATION PROPOSES THE SUBDIVISION OF TWO  
EXISTING PARCELS INTO THREE (3) SINGLE-FAMILY LOTS. THE  
PLAN WAS REVIEWED IN CONCEPT ONLY.

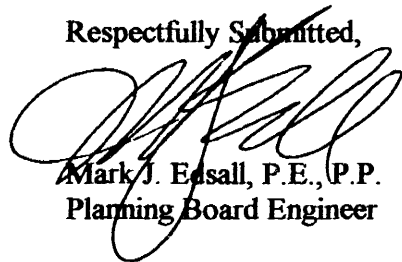
1. The property is located in the R-4 zoning district of the Town. The “required” bulk information on the plan is correct with the exception of lot area (should be 43,560) and land coverage should read “development coverage”.
2. I have made an initial review of the plans and have the following comments:
  - The pavement replacement detail must meet Town Road specifications, at minimum.
  - The portion of the private road within the Town Road right-of-way, must be constructed to town standards.
  - A detail of the retaining wall within the private road right of way must be added to the plans.
  - An easement must be created to the benefit of the Town for the sewer main. A draft copy should be submitted as soon as available, for review by the Town Attorney.
  - See next numbered comments regarding road access and sewer.
3. The access point of the private road to the town road will require a field review with the Town Highway Superintendent. If the Board finds the general layout acceptable, I will arrange this field review.
4. The sewer line will require approval of the NYSDEC, as well as a reallocation agreement approval from the Town Board.

**REGIONAL OFFICES**

- 507 Broad Street • Milford, Pennsylvania 18337 • 570-296-2765 •
- 540 Broadway • Monticello, New York 12701 • 845-794-3399 •

5. The Planning Board may wish to authorize the issuance of a Lead Agency Coordination letter for the project, to begin the SEQRA review process. The applicant should submit six (6) sets of drawings and the environmental form for this purpose.
6. The Planning Board should determine if a Public Hearing will be necessary for this minor subdivision, or if same can be waived per Paragraph 4.B of the Subdivision Regulations.
7. As per the 911 Policy of the Town, this project will require the assignment of a street name and 911 address numbering at the Preliminary approval stage of the subdivision review.

Respectfully Submitted,



Mark J. Easall, P.E., P.P.  
Planning Board Engineer

MJE/st  
NW03-00-01Jan03.doc



P.B. # 03-08

**NEGATIVE DEC:**

CARRIED: Y\_\_\_\_\_N\_\_\_\_\_

CARRIED: Y ✓ N       

**CLOSED:**\_\_\_\_\_

SCHEDULE P.H.: Y ✓ N   

RETURN TO WORK SHOP: Y\_\_N\_\_

## NEED NEW PLANS: Y N

Need Easement for sewer main (To be checked by Crotty)  
Need Sewer allocation  
Mark to check sight distance w/ Henry  
Get Highway review before setting P.H.  
Mark to coordinate w/ Henry

**Town of New Windsor**  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT**  
**#283-2003**

**03/26/2003**

Cherry Valley Builders, Inc. *#03-08*

Received \$ 50.00 for Planning Board Fees, on 03/26/2003. Thank you for  
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green  
Town Clerk



PLANNING BOARD  
TOWN OF NEW WINDSOR

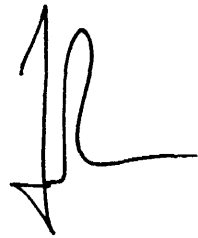
AS OF: 03/25/2003

PAGE: 1

LISTING OF PLANNING BOARD **FEES**  
**ESCROW**

FOR PROJECT NUMBER: 3-8  
NAME: STELLA WAY SUBDIVISION PA  
APPLICANT: ADONI ENGINEERING

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
03/24/2003	REC. CK. #1462	PAID		450.00	
		TOTAL:	0.00	450.00	-450.00



3/26/03



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4693

## OFFICE OF THE PLANNING BOARD

### PROJECT REVIEW SHEET

RECEIVED

SEP 15 2004

N.W. HIGHWAY DEPT.

TO: HIGHWAY DEPARTMENT

P.B. FILE #03-08 DATE RECEIVED: 09-13-04

PLEASE RETURN COMPLETED FORM TO MYRA  
BY: 09-20-04 TO BE ON AGENDA FOR THE 09-22-04 PLANNING BOARD  
MEETING.

THE MAPS AND/OR PLANS FOR:

#### STELLA WAY

Applicant or Project Name

SITE PLAN \_\_\_\_\_, SUBDIVISION XXX, LOT LINE CHANGE \_\_\_\_\_,  
SPECIAL PERMIT \_\_\_\_\_

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

☒ APPROVED:

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ DISAPPROVED:

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: Shirley J. Smith 9/21/04  
Reviewed by date

**FIRE INSPECTOR'S  
INTER-OFFICE CORRESPONDENCE**

**TO:** James Petro, Planning Board Chairman

**FROM:** John McDonald, Fire Inspector

**SUBJECT:** PB-03-08  
Stella Way Subdivision

**DATE:** September 16, 2004



**Fire Prevention Reference Number: FPS-04-043**

**A review of the above referenced Subdivision plan has been conducted and found to be acceptable.**

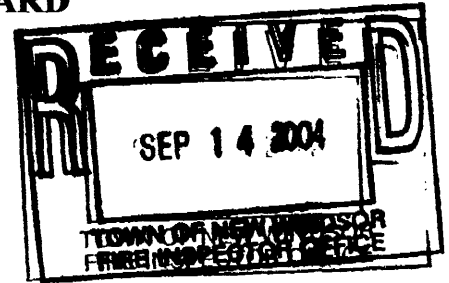


# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4693

## OFFICE OF THE PLANNING BOARD

### PROJECT REVIEW SHEET



TO: E 911 COORDINATOR

P.B. FILE #03-08 DATE RECEIVED: 09-13-04

PLEASE RETURN COMPLETED FORM TO MYRA  
BY: 09-20-04 TO BE ON AGENDA FOR THE 09-22-04 PLANNING BOARD  
MEETING.

THE MAPS AND/OR PLANS FOR:

#### STELLA WAY

Applicant or Project Name

SITE PLAN \_\_\_\_\_, SUBDIVISION XXX, LOT LINE CHANGE \_\_\_\_\_,  
SPECIAL PERMIT \_\_\_\_\_

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

☐ APPROVED:

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☒ DISAPPROVED:

Notes: E-911 Assigned numbers AS  
Designated by Town E-911 Coordinator  
Must be placed on Site plans  
MUST Submit three copies of C-1 for 911 markup.

Signature: McDonald 9/15/04  
Reviewed by \_\_\_\_\_ date \_\_\_\_\_



**McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.**

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MARK J. EDSALL, P.E. (NY, NJ & PA)

JAMES M. FARR, P.E. (NY & PA)

☐ **Main Office**

33 Airport Center Drive

Suite #202

New Windsor, New York 12553

(845) 567-3100

e-mail: mheny@mhepc.com

☐ **Regional Office**

507 Broad Street

Millford, Pennsylvania 18337

(570) 296-2765

e-mail: mhepa@mhepc.com

**Writer's E-mail Address:**

mje@mhepc.com

**PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE**

**TOWN / VILLAGE OF:** New Windsor **P/B APP. NO.:** 03-08

**WORK SESSION DATE:** 4 AUG 2004 **PROJECT:** NEW      OLD X

**REAPPEARANCE AT W/S REQUESTED:**      **RESUB. REQ'D:**     

**PROJECT NAME:** Cherry Valley

**REPRESENTATIVES PRESENT:** Mike Sando & Ken Cass

**MUNICIPAL REPS PRESENT:**

BLDG INSP.

ENGINEER

P/B CHMN

X

FIRE INSP.

PLANNER

OTHER

**ITEMS DISCUSSED:**

- add Pipe + 1/2" rcp  
to Row

**STND CHECKLIST:**

DRAINAGE     

DUMPSTER     

SCREENING     

LIGHTING     

(Streetlights)

LANDSCAPING     

BLACKTOP     

ROADWAYS     

APPROVAL BOX     

**PROJECT  
TYPE**

SITE PLAN

SPEC PERMIT

L L CHG.

SUBDIVISION

OTHER

**PROJECT STATUS:**

ZBA Referral: X Y X N

Ready For Meeting X Y      N

Recommended Mtg Date 8-11



**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)

WILLIAM J. HAUSER, P.E. (NY & NJ)

MARK J. EDSALL, P.E. (NY, NJ & PA)

JAMES M. FARR, P.E. (NY & PA)

☐ Main Office  
33 Airport Center Drive  
Suite #202  
New Windsor, New York 12553  
(845) 567-3100  
e-mail: mheny@mhepc.com

☐ Regional Office  
507 Broad Street  
Milford, Pennsylvania 18337  
(570) 296-2765  
e-mail: mhepa@mhepc.com

Writer's E-mail Address:  
mje@mhepc.com

**PLANNING BOARD WORK SESSION**  
**RECORD OF APPEARANCE**

TOWN / VILLAGE OF: NEW WINDSOR P/B APP. NO.: 03 . 08

WORK SESSION DATE: 7 MAY 03 PROJECT: NEW OLD X

REAPPEARANCE AT W/S REQUESTED: Not Now RESUB. REQ'D: new plans

PROJECT NAME: Stella Way subdiv.

REPRESENTATIVES PRESENT: Ken Gass / Nelson

MUNICIPAL REPS PRESENT: fax 516-292-6090

BLDG INSP. X  
ENGINEER X  
P/B CHMN X

FIRE INSP. Bob (2)  
PLANNER         
OTHER       

**ITEMS DISCUSSED:**

- fix T/road detail
- P/n fixed
- add guy & wall stations
- add detail X-sect.

myr talk to Myr are b/n  
when?

Nelson to drop off corrected  
plans. If OK we will  
schedule P/H

**STND CHECKLIST:**

DRAINAGE       

DUMPSTER       

SCREENING       

LIGHTING       

(Streetlights)

LANDSCAPING       

BLACKTOP       

ROADWAYS       

APPROVAL BOX       

**PROJECT STATUS:**

ZBA Referral:        Y        N

Ready For Meeting        Y        N

Recommended Mtg Date       

**PROJECT**  
**TYPE**

SITE PLAN

SPEC PERMIT

L L CHG.

SUBDIVISION

OTHER



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4693

## OFFICE OF THE PLANNING BOARD

### PROJECT REVIEW SHEET

TO: SEWER DEPARTMENT

P.B. FILE #03-08 DATE RECEIVED: 5-15-2003

PLEASE RETURN COMPLETED FORM TO MYRA BY: ASAP

THE MAPS AND/OR PLANS FOR:

#### STELLA WAY SUBDIVISION

Applicant or Project Name

SITE PLAN \_\_\_\_\_, SUBDIVISION XX, LOT LINE CHANGE \_\_\_\_\_,  
SPECIAL PERMIT \_\_\_\_\_

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

☒ APPROVED:

Notes: BACKWATER VALVE MUST BE SUPPLIED AT EACH SEWER  
LATERAL

☐ DISAPPROVED:

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_

Reviewed by: \_\_\_\_\_

6/2/03  
Date

INTER-OFFICE CORRESPONDENCE

TO: Town Planning Board  
FROM: Town Fire Inspector  
SUBJECT: Stella Way Subdivision  
DATE: 1 April 2003

Planning Board Reference Number: PB-03-08

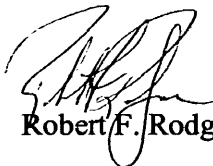
Dated: 24 March 2003

Fire Prevention Reference Number: FPS-03-13

A review of the above referenced subdivision plan was conducted on 1 April 2003.

This subdivision plan is acceptable.

Plans Dated: 7 March 2003



Robert F. Rodgers





# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4693

## OFFICE OF THE PLANNING BOARD

### PROJECT REVIEW SHEET

TO: \_\_\_\_\_ FIRE INSPECTOR, \_\_\_\_\_ WATER DEPT.,  
XX SEWER DEPT., \_\_\_\_\_ HIGHWAY DEPT.

P.B. FILE #03-08 DATE RECEIVED: 03-24-03

PLEASE RETURN COMPLETED FORM TO MYRA BY: A.S.A.P.

THE MAPS AND/OR PLANS FOR:

### STELLA WAY SUBDIVISION

Applicant or Project Name

SITE PLAN \_\_\_\_\_, SUBDIVISION XX, LOT LINE CHANGE \_\_\_\_\_,  
SPECIAL PERMIT \_\_\_\_\_

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:



APPROVED:

Notes: SEWER LATERALS NEED BACKWATER VALVES



DISAPPROVED:

Notes: \_\_\_\_\_

Signature: \_\_\_\_\_

Reviewed by: \_\_\_\_\_

Date \_\_\_\_\_



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Fax: (845) 563-4693

## OFFICE OF THE PLANNING BOARD

### PROJECT REVIEW SHEET

**RECEIVED**

**TO: HIGHWAY DEPARTMENT**

JUN 09 2003

**N.W. HIGHWAY DEPT.**

P.B. FILE #03-08

DATE RECEIVED: 5-15-2003

PLEASE RETURN COMPLETED FORM TO MYRA BY: ASAP

THE MAPS AND/OR PLANS FOR:

### STELLA WAY SUBDIVISION

Applicant or Project Name

SITE PLAN \_\_\_\_\_, SUBDIVISION XX, LOT LINE CHANGE \_\_\_\_\_,  
SPECIAL PERMIT \_\_\_\_\_

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

☒ **APPROVED:**

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ **DISAPPROVED:**

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: Lenny A. Hull  
Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_



# Town of New Windsor

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New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4693

## OFFICE OF THE PLANNING BOARD

### PROJECT REVIEW SHEET

TO: **WATER DEPARTMENT**

P.B. FILE #03-08

DATE RECEIVED: 5-15-2003

PLEASE RETURN COMPLETED FORM TO MYRA BY: ASAP

THE MAPS AND/OR PLANS FOR:

#### STELLA WAY SUBDIVISION

Applicant or Project Name

SITE PLAN \_\_\_\_\_, SUBDIVISION XX, LOT LINE CHANGE \_\_\_\_\_,  
SPECIAL PERMIT \_\_\_\_\_

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

☒ **APPROVED:**

Notes:

There is no town water in this area.

☐ **DISAPPROVED:**

Notes:

Signature:

Steve D'Amico

Reviewed by:

6-9-03  
Date

**INTER-OFFICE CORRESPONDENCE**

**TO:** Town Planning Board  
**FROM:** Town Fire Inspector  
**SUBJECT:** Stella Way Subdivision  
**DATE:** June 10, 2003

Planning Board Reference Number: PB-03-08  
Date Received: May 15, 2003  
Fire Prevention Reference Number: FPS-03-21

A review of the above referenced subdivision plan was conducted on June 10, 2003.

This subdivision plan is acceptable.

Plans Dated: May 5, 2003

A handwritten signature in black ink, appearing to be 'TL' with a stylized flourish and the number '84' written below it.

Thomas R. Lucchesi  
Fire Inspector

TRL/dh



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## OFFICE OF THE PLANNING BOARD

### PROJECT REVIEW SHEET

TO: \_\_\_\_\_ FIRE INSPECTOR, XX WATER DEPT.,  
\_\_\_\_\_ SEWER DEPT., \_\_\_\_\_ HIGHWAY DEPT.

P.B. FILE #03-08

DATE RECEIVED: 03-24-03

PLEASE RETURN COMPLETED FORM TO MYRA BY: A.S.A.P.

THE MAPS AND/OR PLANS FOR:

### STELLA WAY SUBDIVISION

Applicant or Project Name

SITE PLAN \_\_\_\_\_, SUBDIVISION XX, LOT LINE CHANGE \_\_\_\_\_,  
SPECIAL PERMIT \_\_\_\_\_

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

☒ **APPROVED:**

Notes: There is no town water in this area  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ **DISAPPROVED:**

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: Stella Way 3-21-03  
Reviewed by: \_\_\_\_\_ Date



**McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)  
WILLIAM J. HAUSER, P.E. (NY & NJ)  
MARK J. EDSALL, P.E. (NY, NJ & PA)  
JAMES M. FARR, P.E. (NY & PA)

☐ Main Office  
33 Airport Center Drive  
Suite #202  
New Windsor, New York 12553  
(845) 567-3100  
e-mail: mheny@mhepc.com

☐ Regional Office  
507 Broad Street  
Milford, Pennsylvania 18337  
(570) 296-2765  
e-mail: mhepa@mhepc.com

Writer's E-mail Address:  
mje@mhepc.com

**PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE**

1-3  
**03-08**

TOWN / VILLAGE OF: New Windsor P/B APP. NO.:

WORK SESSION DATE: 5 MAR 03 PROJECT: NEW ☒ OLD

REAPPEARANCE AT W/S REQUESTED: after 1<sup>st</sup> mtg. RESUB. REQ'D: NO Y

PROJECT NAME: Cherry Valley

REPRESENTATIVES PRESENT: Baron Straiton

MUNICIPAL REPS PRESENT:

BLDG INSP. X  
ENGINEER X  
P/B CHMN X

FIRE INSP. Pol # 48  
PLANNER X  
OTHER X

ITEMS DISCUSSED: Private Rd.

- Schiavone Rd -
- need right distance
- wetlands prohibited moving to left
- 12% max
- propose 4% @ culdrac
- provide drive detail
- R-4 - bulk correction needed
- wells & sewer (no WM)
- show proposed grading
- culvert at road

STND CHECKLIST:	PROJECT TYPE
DRAINAGE <u>disc</u>	SITE PLAN
DUMPSTER <u>—</u>	SPEC PERMIT
SCREENING <u>—</u>	L L CHG.
LIGHTING <u>—</u>	SUBDIVISION
(Streetlights)	OTHER
LANDSCAPING <u>—</u>	
BLACKTOP <u>disc</u>	
ROADWAYS <u>disc</u>	
APPROVAL BOX <u>advised</u>	

**PROJECT STATUS:**  
ZBA Referral: Y N

Ready For Meeting Y N

Recommended Mtg Date next week  
after submittal



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553  
Telephone: (914) 563-4615  
Fax: (914) 563-4693

## PLANNING BOARD APPLICATION

### TYPE OF APPLICATION (check appropriate item):

Subdivision ☒ Lot Line Change ☐ Site Plan ☐ Special Permit ☐

Tax Map Designation: Sec. 57 Block 1 Lot 52 & 60

1. Name of Project STELLA WAY SUBDIVISION  
(CONTRACT PURCHASER)  
2. Owner of Record CHERRY VALLEY BUILDERS, INC Phone 516-292-6000

Address: 110 CHERRY VALLEY ROAD, WEST HEMPSTEAD, NY 11552  
(Street Name & Number) (Post Office) (State) (Zip)

3. Name of Applicant ADONI ENGINEERING & LAND SURVEYING, P.C. Phone 845-566-0788

Address: 1662 RT 300, STE. 110, NEWBURGH, NY 12550  
(Street Name & Number) (Post Office) (State) (Zip)

4. Person Preparing Plan NELSON T. PIERRE, P.E. Phone 845-566-0788

ADONI ENGINEERING & LAND SURVEYING, P.C.  
Address: 1662 RT. 300, STE. 110, NEWBURGH, NY 12550  
(Street Name & Number) (Post Office) (State) (Zip)

5. Attorney PHYLLIS SIMON Phone 845-634-7947

Address 25 FINCH ROAD, NEW CITY, NY 10956  
(Street Name & Number) (Post Office) (State) (Zip)

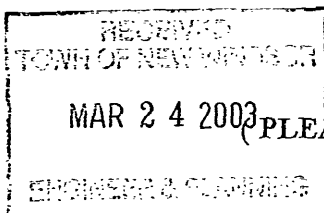
6. Person to be notified to appear at Planning Board meeting:

NELSON T. PIERRE 845-566-0788  
(Name) (Phone)

7. Project Location:

On the NORTH side of SCHIAVONE ROAD +/- 700 feet  
(Direction) (Street) (No.)  
WEST of VASCELLO  
(Direction) (Street)

8. Project Data: Acreage .5+/- Zone R-4 School Dist. NEWBURGH ENLARGED CITY



PAGE 1 OF 2

MAR 24 2003 (PLEASE DO NOT COPY 1 & 2 AS ONE PAGE TWO-SIDED)

03-08

9. Is this property within Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Yes \_\_\_\_\_ No X

\*This information can be verified in the Assessor's Office.

\*If you answer "yes" to question 9, please complete the attached "Agricultural Data Statement".

10. Description of Project: (Use, Size, Number of Lots, etc.) 3 LOT SUBDIVISION OF EXISTING 5.5 ACRE, VACANT, WOODED PROPERTY LOCATED OFF OF SCHIAVONE ROAD. NEW ROAD TO BE A PRIVATE R.O.W. (STELLA WAY)

11. Has the Zoning Board of Appeals Granted any Variances for this property? yes \_\_\_\_\_ no X

12. Has a Special Permit previously been granted for this property? yes \_\_\_\_\_ no X

ACKNOWLEDGMENT:

IF THIS ACKNOWLEDGMENT IS COMPLETED BY ANYONE OTHER THAN THE PROPERTY OWNER, A SEPARATE NOTARIZED STATEMENT OR PROXY STATEMENT FROM THE OWNER MUST BE SUBMITTED, AT THE TIME OF APPLICATION, AUTHORIZING THIS APPLICATION.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

THE UNDERSIGNED APPLICANT, BEING DULY SWORN, DEPOSES AND STATES THAT THE INFORMATION, STATEMENTS AND REPRESENTATIONS CONTAINED IN THIS APPLICATION AND SUPPORTING DOCUMENTS AND DRAWINGS ARE TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE AND/OR BELIEF. THE APPLICANT FURTHER ACKNOWLEDGES RESPONSIBILITY TO THE TOWN FOR ALL FEES AND COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

SWORN BEFORE ME THIS:

7th DAY OF March 2003

Carole Ippolito  
NOTARY PUBLIC  
CAROLE IPPOLITO  
Notary Public, State of NY  
No. 011FC057727  
Qualified in Dutchess County

NELSON T. PIERRE  
Please Print Applicant's Name as Signed

TOWN USE ONLY:  
MAR 24 2003  
DATE APPLICATION RECEIVED

03-08  
APPLICATION NUMBER



**APPLICANT/OWNER PROXY STATEMENT**  
**(for professional representation)**

for submittal to the:  
TOWN OF NEW WINDSOR PLANNING BOARD

CHERRY VALLEY BUILDERS, INC., deposes and says that he resides  
(OWNER)

at 110 CHERRY VALLEY ROAD, WEST HEMPSTEAD in the County of NASSAU  
(OWNER'S ADDRESS)

and State of NEW YORK and that he is the owner of property tax map  
(CONTRACT PURCHASER)

(Sec. 57 Block 1 Lot 52)  
designation number (Sec. 57 Block 1 Lot 60) which is the premises described in

the foregoing application and that he authorizes:

ADONI ENGINEERING & LAND SURVEYING, P.C.  
1662 RT. 300, STE 110, NEWBURGH, NY 12550

(Applicant Name & Address, if different from owner)

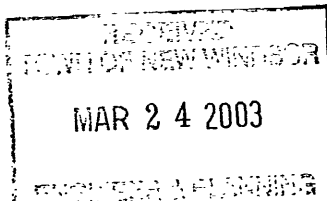
NELSON T. PIERRE, P.E. ADONI ENGINEERING & LAND SURVEYING, P.C.  
1662 RT. 300, STE. 110, NEWBURGH, NY 12550

(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: 3/7/03

[Signature]  
Witness' Signature



[Signature]  
Owner's Signature (CONTRACT PURCHASER)

[Signature]  
Applicant's Signature (if different than owner)

[Signature]  
Representative's Signature

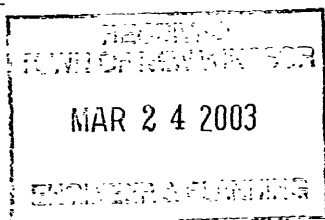
**THIS FORM CANNOT BE WITNESSED BY THE PERSON OR  
REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED  
TO REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.**

03-08

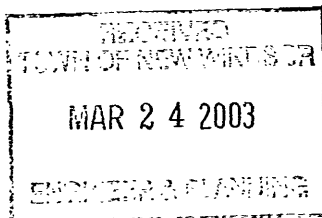
**TOWN OF NEW WINDSOR PLANNING BOARD  
SUBDIVISION/LOT LINE CHANGE CHECKLIST**

The following checklist items shall be incorporated on the Subdivision Plan prior to consideration for being placed on the Planning Board Agenda:

1.   X   Name and address of Applicant.
- \* 2.   X   Name and address of Owner. ( **CONTRACT PURCHASER** )
3.   X   Subdivision name and location
4.   X   Provide 4" wide X 2" high box directly above title block preferably lower right corner) for use by Planning Board in affixing Stamp of Approval.  
(ON ALL PAGES OF SUBDIVISION PLAN)
5.   X   Tax Map Data (Section, Block & Lot).
6.   X   Location Map at a scale of 1" = 2,000 ft. (1"=1000') AS PER WORKSESSION DISCUSSION
7.   X   Zoning table showing what is required in the particular zone and what applicant is proposing.
8.   X   Show zoning boundary if any portion of proposed subdivision is within or adjacent to a different zone.
9.   X   Date of plat preparation and/or date of any plat revisions.
10.   X   Scale the plat is drawn to and North arrow.
11.   X   Designation (in title) if submitted as sketch plan, preliminary plan or final plan.
12.   X   Surveyor's certificate.
13.   X   Surveyor's seal and signature.
14.   X   Name of adjoining owners.
15.   X   Wetlands and 100 foot buffer zone with an appropriate note regarding DEC requirements.
- \* 16.   N/A   Flood land boundaries.
17.   X   A note stating that the septic system for each lot is to be designed by a licensed professional before a building permit can be issued.
18.   X   Final metes and bounds.



19.   X   Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical center line of the street.
20.   X   Include existing or proposed easements.
21.   X   Right-of-way widths.
22.   X   Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).
23.   X   Lot area (in square feet for each lot less than 2 acres).
24.   X   Number the lots including residual lot.
25.   X   Show any existing waterways.
- \*26.   X   A note stating a road (or any other type) maintenance agreement is to be filed in the Town Clerk's Office and County Clerk's Office.
27.   X   Applicable note pertaining to owners' review and concurrence with plat together with owners' signature.
28.   X   Show any existing or proposed improvements, i.e., drainage systems, water lines, sewer lines, etc. (including location, size and depths).
29.   X   Show all existing houses, accessory structures, existing wells and septic systems within 200 ft. of the parcel to be subdivided.
30.   N/A   Show all and proposed on-site "septic" system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.
31.   N/A   Provide "septic" system design notes as required by the Town of New Windsor.
32.   X   Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.
33.   X   Indicate percentage and direction of grade.
34.   X   Indicate any reference to previous, i.e., file map date, file map number and previous lot number.
35.   X   Indicate location of street or area lighting (if required).



REFERRING TO QUESTION 9 ON THE APPLICATION FORM, IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

36.     X     Referral to Orange County Planning Dept. is required for all applicants filing AD Statement.
37.     X     A disclosure Statement, in the form set below, must be inscribed on all subdivision maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

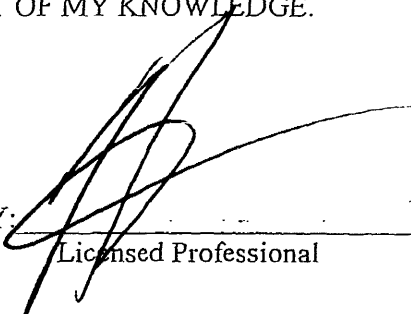
"Prior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leaser shall be notified of such farm operation with a copy of the following notification.

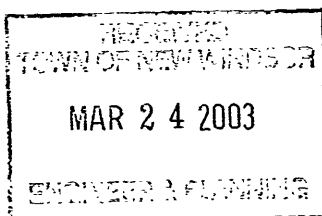
It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors.

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

**PREPARER'S ACKNOWLEDGMENT:**

THE PLAT FOR THE PROPOSED SUBDIVISION HAS BEEN PREPARED IN ACCORDANCE WITH THIS CHECKLIST AND THE TOWN OF NEW WINDSOR ORDINANCES, TO THE BEST OF MY KNOWLEDGE.

BY:  3/07/03  
\_\_\_\_\_  
Licensed Professional Date



PROJECT I.D. NUMBER

617.21

SEQR

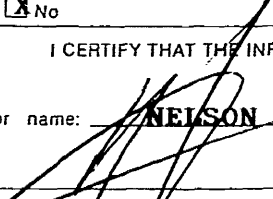
## Appendix C

State Environmental Quality Review

## SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

## PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR <b>ADONI ENGINEERING &amp; LAND SURVEYING, PC</b>	2. PROJECT NAME <b>STELLA WAY SUBDIVISION</b>
3. PROJECT LOCATION: Municipality <b>TOWN OF NEW WINDSOR</b> County <b>ORANGE</b>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <b>ON THE NORTH SIDE OF SCHIAVONE ROAD, +/- 700 FEET WEST OF VASCHELLO ROAD (SECTION 57, BLOCK 1, LOTS 52 &amp; 60).</b>	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <b>THREE LOT SUBDIVISION IS PROPOSED ON A VACANT, WOODED 5.5 ACRE PARCEL LOCATED OFF OF SCHIAVONE ROAD. NEW ROAD TO BE A PRIVATE RIGHT-OF-WAY NAMED STELLA WAY AND WILL CONTAIN SEWER AND DRAINAGE AS NEEDED.</b>	
7. AMOUNT OF LAND AFFECTED: Initially <b>4.0+</b> acres    Ultimately <b>4.0+</b> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If yes, list agency(s) and permit/approvals <b>MUNICIPAL PLANNING BOARD</b>	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE  Applicant/sponsor name: <b>NEILSON T. PIERRE, P.E.</b> Date: <b>3/07/03</b>  Signature: 	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

1

MAR 24 2003

ENGINEER &amp; PLANNING

03-08

**PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)**

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.

☐ Yes ☐ No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.

☐ Yes ☐ No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?

☐ Yes ☐ No If Yes, explain briefly

**PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

- ☐ Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- ☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary, the reasons supporting this determination:

\_\_\_\_\_  
Name of Lead Agency

\_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_  
Title of Responsible Officer

\_\_\_\_\_  
Signature of Responsible Officer in Lead Agency

\_\_\_\_\_  
Signature of Preparer (if different from responsible officer)

\_\_\_\_\_  
Date

## ATTACHMENTS

- A. Flood Hazard Area Development Permit Application Form.
- B. Certificate of Compliance ☒

PLEASE NOTE: IF PROPERTY IS NOT IN A FLOOD ZONE, PLEASE INDICATE THAT ON THIS FORM AND SIGN YOUR NAME. RETURN FORM WITH PLANNING BOARD APPLICATION.

IF PROPERTY IS LOCATED IN A FLOOD ZONE, PLEASE COMPLETE THE ATTACHED (LEGAL SIZE) PAPERS AND RETURN WITH PLANNING BOARD APPLICATION.

**STELLA WAY SUBDIVISION  
SCHIAVONE ROAD  
SECTION 57, BLOCK 1, LOTS 52 & 60  
TOWN OF NEW WINDSOR, NEW YORK**

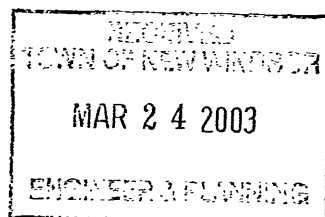
**THIS PROPERTY IS NOT IN A FLOOD ZONE**

**ADONI ENGINEERING & LAND SURVEYING  
P.C.**

  
SIGNATURE

3/07/03

DATE



**03-08**

**APPLICANT/OWNER PROXY STATEMENT**  
**(for professional representation)**

for submittal to the:  
TOWN OF NEW WINDSOR PLANNING BOARD

**ELAINE**  
**MITCHELL, REUBEN W. & ETAL C/O MITCHELL**, deposes and says that he resides  
(OWNER)

at **530 E 23RD ST., APT. 6D, NEW YORK, NY 10010** in the County of **NEW YORK**  
(OWNER'S ADDRESS)

and State of **NEW YORK** and that he is the owner of property tax map

(Sec. **57** Block **1** Lot **52** )  
designation number (Sec. **57** Block **1** Lot **60** ) which is the premises described in

the foregoing application and that he authorizes:

**ADONI ENGINEERING & LAND SURVEYING, P.C.**  
**1662 RT. 300, STE. 110, NEWBURGH, NY 12550**

(Applicant Name & Address, if different from owner)

**NELSON T. PIERRE, P.E.** **ADONI ENGINEERING & LAND SURVEYING, P.C.**  
**1662 RT. 300, STE. 110, NEWBURGH, NY 12550**

(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: **03/20/03**

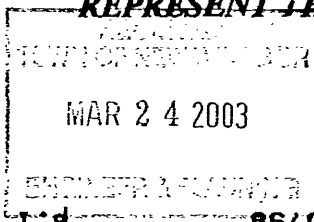
*Elaine Mitchell*  
Owner's Signature

Witness' Signature

Applicant's Signature if different than owner

Representative's Signature

**THIS FORM CANNOT BE WITNESSED BY THE PERSON OR  
REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED TO  
REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.**



MAR 24 2003

ENCLER & ASSOCIATES

845-566-0798

ADONI ELLS, P.C.

Mar 20 03 12:41p